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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

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House of Representatives

The House met at 12:30 p.m.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 106. Concurrent resolution to correct the enrollment of H.R. 3525.

MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 23, 2002, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. UDALL) for 5 minutes.

URGING HOUSE REPUBLICAN LEADERSHIP TO GIVE PRESCRIPTION DRUG LEGISLATION THE TIME IT DESERVES

Mr. UDALL of New Mexico. Mr. Speaker, there are less than 65 legislative days in the calendar, and we have not dealt with one of the most important concerns: the issue of prescription drugs. Our seniors should not have to make a choice between paying rent or buying food and purchasing their prescription drugs.

In the 1960s, we stepped up to the plate and provided medical coverage for those over 65 years of age. The Congress passed and President Johnson signed the Medicare program in 1965. The program has grown, and now over 40 million seniors are a part of Medicare. It is a good, solid program which provides basic medical care, but it has not kept up with new medical developments.

Since 1965, a lot has changed in how we treat patients. Today if we were designing the medical care system for those over 65, prescription drugs would be an integral part of the whole. We have not adapted Medicare to modern medicine. Many of the chronic illnesses in our senior population can be treated effectively with new drugs which have been recently developed.

A prescription drug component to Medicare must have several key provisions:

No. 1, it must be available to all of those covered by Medicare;

No. 2, it must be affordable;

No. 3, it must be voluntary;

No. 4, a reasonable premium must be charged;

And No. 5, it must cover basic prescription drug needs.

Unfortunately, our Republican friends have proposed a proposal and a program which only covers 6 percent of the senior population. This is nothing more than a Band-Aid for a serious medical crisis. We must act to provide comprehensive coverage for all who want it, and we must do so now.

The other important action we must take is to eliminate the price discrimination in prescription drugs. The Prescription Drug Fairness Act does that. Today, an uninsured senior pays far more than an HMO for his or her prescription drugs. In a recent survey in my congressional district in northern New Mexico, uninsured seniors paid 115 percent more for their prescription drugs than large purchasers pay. That is more than double the price for uninsured seniors.

These big drug companies have set up a two-tiered system of pricing. The uninsured senior gets the higher-priced drugs, while the large corporate purchasers, like HMOs, get a preferred customer price, a lower price.

To be fair, we must eliminate price discrimination. The Prescription Drug Fairness Act does just that. If any customer is charged a preferred customer price, then all customers are entitled to purchase at that price. This simple legislative solution would substantially reduce the price of prescription drugs, and we must pass this piece of legislation.

Just several words on our approach to passing prescription drug legislation. We cannot pass this legislation in a couple of hours. We must dedicate significant committee and floor time to find a bipartisan solution. Ramming a bill through the House in a couple of hours and then blaming the Senate for not acting is not responsible legislating.

I urge the Republican leadership to give this legislation the time it deserves, and to allow the Democrats the opportunity to fully participate in the legislative process.

RECOGNITION OF TEACHERS OF THE YEAR

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Texas (Mr. SAM JOHNSON) is recognized during morning hour debates for 5 minutes.

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is an honor to bring to the attention of my colleagues several distinguished teachers from the Third Congressional District of Texas. I am pleased to recognize these recipients of the Teacher of the Year Award who enable our students to understand and learn from each other, and strive to achieve their goals.

Mr. Speaker, great teachers nurture our country's best hope for tomorrow: our children. Children may be a fraction of our society, but they are 100

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percent of our future. The perseverance and dedication of our teachers challenge and shape students to dream, and to work hard to make those dreams come true.

Unfortunately, educators work with little public thanks or appreciation, even though topnotch teachers are essential to a strong future. These educators in particular go beyond the call of duty and selflessly make for our children and our country a better place.

It is my distinct honor to present the Third District of Texas's teacher of the year.

In the Allen Independent School District, Jackie Schornick and Maridee Ryan;

From McKinney Independent District, Tom Flurimonte and Ms. Lisa Stout;

From the Plano Independent School District, Mrs. Be Janet Tang and Ms. Diane Davey;

And from the Wylie Independent School District, Ms. Janet McMillen and Ms. Tricia Gent.

As a former Air Force instructor, a father, a grandfather, and the highest ranking Texan on the Committee on Education and the Workforce, I know firsthand the importance of a quality education. However, it is outstanding teachers like these who strive for excellence.

I thank the hometown heroes, the excellent educators, for all they do for our children, for America, and for our freedom. God bless them.

THIS YEAR CONGRESS SHOULD PASS AND THE PRESIDENT SHOULD SIGN H.R. 1862, GREATER ACCESS TO AFFORDABLE PHARMACEUTICALS ACT OF 2001

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, when large employers, unions, and progressive Members of Congress and governors and senior groups and consumer advocates join forces on the same issue, Congress listens. What is the issue? Prescription drugs and prescription drug prices. What is the remedy? Legislation pending in the Senate and House that would close loopholes in the Waxman-Hatch bill Congress passed in 1984.

Overall, the law, which was intended to help consumers gain access to blockbuster drugs and to, eventually, lower-cost generics, has worked well. Waxman-Hatch ensured brand name manufacturers almost 2 decades of patent protection, promoting important innovation and ensuring huge profits for the prescription drug industry.

Between 1983 and 1995, drug companies increased their R&D investment, in large part because of Waxman-Hatch, from 14 percent to 19 percent of sales. They earned quite a healthy profit on that investment. U.S. pharmaceutical sales rose 200 percent, from $17 billion to $57 billion. The act streamlined the generic drug approval process to help bring lower-cost prescription drugs to the market. Last year, generic drugs accounted for 42 percent of all prescriptions dispensed.

But the big drug companies have been greedy; smart, but greedy. The industry has perfected the practice of attaching questionable patents to their drugs for the purpose of preventing generic drugs' entry into the market. As a brand drug nears the end of its 20-year patent life, the company will file what they deem a ''new and improved patent'' on the same drug, to keep out the generic drug and to keep out competition.

A patent, for example, was filed on a pill that could be divided into three parts instead of in half, instead of in two parts. This new and improved patent pill, patented pill, that does not affect the way the pill metabolizes in the body, which is what matters, keeps the generic drug that can be divided in half off of the market. While the generic company fights this outrageous patent in court, the brand name company, the big drug company, retains its market exclusivity at the cost of tens of millions, sometimes even billions of dollars, to consumers. The drug industry manipulates the law with relative ease.

I will share another example. Neurontin is a prescription drug for seizures. Its two main patents, one on the drug's ingredients and one on the use of the drug, expired in 1994 and in 2000. Right before the second patent expired, the company listed two new patents, one of which was on an unapproved FDA use to treat Parkinson's disease.

The industry did not ask the FDA to approve the drug for use in Parkinson's patients. The industry did not do any research to assert whether the drug actually is effective in Parkinson's patients. But the drug company, the generic drug company, the competitor that forces prices down, that would compete with the name brand company, the generic drug company still had to go to court to argue that its generic drug is not intended for use for Parkinson's patients.

When the generic and the brand name company go to court, the FDA is automatically required, must be required to withhold approval of the generic for 30 months, 2½ years. After those 30 months, the industry filed a new patent, forcing the generic industry to go back to court, starting the 30-month clock over.

The two delays in the case of Neurontin, the two delays, equalling 5 years, delayed generic access to the market, delayed consumers getting the less expensive drug, delayed the marketplace competition, and it cost consumers $1.5 million every day because of the big drug companies' greed. Industry profits continue to soar.

Now a group of large corporations, labor unions, governors from both sides of the aisle, and consumer groups want to stop the patent abuses. Unfortunately, Republican leadership does not. All of us know that loopholes in the law are contributing to spiraling prescription drug costs and that this level of spending is unattainable.

The gentlewoman from Missouri (Mrs. EMERSON) and I have introduced legislation, H.R. 1862, to close the loopholes and to release the billions in consumer savings that are being stifled by the big name drug companies and by Republican leadership.

General Motors supports our legislation, and so do the United Auto Workers. Verizon and the other Baby Bells support our legislation, and so do the Communication Workers of America. The AARP supports it, the AFL-CIO supports it, and Governor Deane from Vermont, a Democrat, Governor Foster from Louisiana, a Republican, supports it. The only people who do not are the Republican leadership in the House.

Congress should pass this legislation and the President should sign it this year. Tens of billions of dollars, consumer dollars, are at stake.

□ 1245

INDOOR AIR QUALITY KIT FOR SCHOOLS

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I am here today to share with my colleagues that May is Asthma Awareness Month. Last Wednesday on May 1, here on Capitol Hill, we held an entire day of related activities including a hearing and free screenings. I thank my colleagues that participated and found it rewarding and informative.

Meanwhile, Asthma Awareness Day was observed nationally and many cities around the country hosted screenings and festivities to foster awareness about this startlingly increasing health condition in the United States.

As you may know, some 15 million Americans have asthma, and also 50 million suffer from allergies. The incidence of asthma is increasing at an alarming rate, doubling over the last decade and a half. Of particular concern is that the group diagnosed with the highest increase of asthma is children under five years old. I hope that we in Congress can all do our part by promoting knowledge about some simple steps that can be taken to alleviate suffering of asthma and allergy symptoms in our Nation's schools.

To begin, I would like to share what I do for my constituents in the Sixth Congressional District of Florida. In February working with a wonderfully resourceful group called the Allergy and Asthma Network Mothers of Asthmatics and the Environmental Protection Agency, I mailed this Indoor Air Quality, IAQ, Tools for

Schools Action Kits. As you can see, this is a very fine kit and has lots of wonderful things to help schools. I mailed it to all 236 schools in my district, elementary through high school, public and private. These kits provide explanations and suggestions for identifying air quality problems and suggestions for their improvements.

Now, why is indoor air quality important? This is from the EPA: ''The EPA studies of human exposure to air pollutants indicate that indoor level of pollutants may be two to five times and occasionally a hundred times higher than outdoor levels.'' Of course, most of people spend their time indoors. So here are our school children and our teachers captive inside a building all day, charged with building the foundation for their future, the children's future, potentially trapped in a state of dusty or moldy or other respiratory discomfort.

This kit walks a school through setting up an indoor air quality program to make the school an environment of comfort and well-being for all the children and all the adults inside. Let me share the contents of this kit. To begin with there is a video tape with two short episodes. Hosts from the award winning PBS home improvement series, ''This Old House,'' show how one school successfully implemented this kit and explains the importance of healthful indoor air quality and properly maintained school ventilation systems. They point out that many indoor air quality problems can be easily and inexpensively prevented or solved by school maintenance professionals using basic techniques outlined in this video.

Moving along, there is an IAQ coordinator guide check list and sample memos to the school, parents, contractors, and the media. There are also insightful start-up hints. To be most successful, a school would want to assemble a multidisciplinary IAQ team. This might include the school nurse, maintenance staff, teachers, food service staff, housekeeping, air conditioning and heating contractors and someone from the school district or superintendent's office. There is an IAQ problem-solving wheel. It combines identification of symptoms (blue), type, severity, and frequency and timing with environmental factors to finger through on the chart: odors, temperature or humidity problems, exhaust problems, grounds or building sources such as recent paint or pesticides, to arrive at instructions most applicable and helpful.

I am glad to report that most of the suggestions in this kit are inexpensive to implement. Often just planning and organizing can make a monumental difference to indoor air quality in our schools. Finally and encouragingly, the kit reminds the IAQ coordinator that ''implementing an IAQ management program is an ongoing process and not an overnight miracle. Be patient, stay consistent, organize and never forget that you are doing something important for staff and students in your school.''

Mr. Speaker, we have a responsibility to our children and their teachers with asthma who also have allergies to ensure that our schools do not worsen their condition. I am pleased that my schools have this tool at their disposal and hope that they might give me some feedback to the progress in implementing it. If any Member would like information on obtaining these kits for your district schools, please contact my staff who will be delighted to help.

Finally, I think something worth checking out, a recent book has come to my attention called ''My House Is Killing Me,'' the home guide for families with allergies and asthma by Mr. May and Mr. Samet is available. It is chock-full of extraordinary information. This is just one of many books. Let us all resolved to help overcome indoor air quality challenges.

Mr. Speaker. I rise to share with all members that May is Asthma Awareness Month. Last Wednesday, May 1, we held an entire day of related activity, including a hearing and free screenings. We heard from physicians, a respiratory therapist, and a school nurse, all experts in diagnosing and treating asthma. We heard from a professional in air quality, from the Environmental Protection Agency, who discussed issues of air quality, dust, mold and other contributors to respiratory distress. We listened to an overseer of the States' Medicaid program to talk about drug formulary and disease management program issues with us. Most importantly, three courageous asthma sufferers came to relate their stories: two enthusiastic school children, Kyle Damitz and Allison Smith, and one hardy NFL football player, Jerome Bettis of the Pittsburgh Steelers. I think my colleagues that participated found it rewarding and informative.

As you may know, some 15 million Americans have asthma, and also 50 million suffer from allergies. The incidence of asthma is increasing at an alarming rate, doubling over the last decade and a half. Of particular concern is that the group diagnosed with the highest increase of asthma is children under five years old. I hope that we in Congress can all do our part by promoting knowledge about some simple steps that can be taken to alleviate suffering of asthma and allergy symptoms in our Nation's schools.

I myself have experienced bothersome allergy symptoms for much of my adult life, so I understand how critical it is to assess and modify, if necessary, your environment, and to have knowledgeable, reliable professionals on your healthcare team. I think many of us will agree that it can take patience, creativity, family support, and a sense of pure resolve to tackle your asthma or allergy symptoms, and find the regimen of medication, exercise, household adjustments and overall lifestyle that works for you.

One point I would like to address is how, unfortunately, occasionally works of fiction or media portray the suffering of asthma in a negative light, or a reason for exploitation of a character. For example, in the classic book ''The Lord of the Flies'' a boy who is overpowered by other young men is identified as asthmatic, among other traits, and is therefore thought weak. Also, in a feature movie out last year, ''Pay it Forward,'' schoolyard bullies beat up on a child who helplessly watches his inhaler fly from his pocket. Finally, I understand from the most recent newsletter of the patient advocacy group Allergy and Asthma Network Mothers of Asthmatics that a character in the animated movie ''Jimmy Neutron, Boy Genius'' is similarly exploited and mistreated by his classmates. All of us can help promote awareness and understanding of this physical ailment so as to combat any stereotyping about it. To that end, I would like to end my statement marveling at how one young asthmatic schoolboy conquered his labored breathing and went on to a wonderful role in history. I like to call this a story of ''respiration inspiration.'' It is about a little American boy in the 1870's who had very severe asthma. Back then, there were no inhalers or other medicine as we have today. He was often sick and generally very weak as a young boy. Well, he wanted to grow up and go to Harvard University and to hunt and to be in the military and to do many great things with his life. Luckily, he had a wise doctor and loving parents, who suggested he exercise his body along with his mind. His parents installed a sort of ''home gym'' for him, and he devised a strenuous regimen for himself. Today, we can read in a ''Sporting Calendar'' preserved, that from August 21 through December 11, 1871, this young fellow competed with his brothers and make cousins in ''fifteen athletic contests—running, jumping, vaulting, wrestling, and boxing—and won fourteen of them, drawing the other one.'' [From The Rise of Theodore Roosevelt, Edmund Morris, 1979.] He still suffered some asthma attacks, but less frequently, and less fearfully. This little boy grew up to become the governor of New York, and the leader of the most famous cavalry unit in the Spanish-American War, and finally, the President of the United States: Theodore Roosevelt. I think that with the attention to medical access, environment, and lifestyle that our hearing will showcase, that any of the children here with us today might follow in Teddy Roosevelt's footsteps. Let asthma slow no-one down!

AMERICAN HEALTH SECURITY ACT

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Washington (Mr. McDERMOTT) is recognized during morning hour debates for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, I was sitting over in my office looking at today's calendar and could not help but get up and come over here.

In 460 B.C. the father of medicine, Hippocrates, wrote: ''Healing is a matter of time but it is also sometimes a matter of opportunity.''

Now, for 2,500 years we have been talking about this opportunity or in modern times access to good health care coverage in our country. For decades now we have been talking about improving access to health care coverage, yet the problem continues to grow. We argue about how best to provide the coverage; but no matter what you say, uncovered people are one of the biggest economic and human problems in our society.

Many people are locked into jobs. They would like to change jobs, but

they cannot because they cannot give up their coverage. They are there because they have to have coverage for some chronic illness. But we are on the brink of things getting exponentially worse and they can. If we have any kind of downturn in the economy we will have a worse situation.

Now, I started in 1972 as a physician advocating for a health care system that was universally available, never could be taken away, and every American would be in it no matter what their circumstances in the society. I introduced bills in the Washington State legislature and started the Washington Basic Health Plan.

When I came to Congress, I introduced the American Health Security Act in 1992. This act is the gold standard that provides universal coverage for all Americans, and it does it through a single-payer mechanism. Now the American Health Security Act offers a fair and fiscally responsible way to deliver high-quality and cost-effective health care to all Americans. It provides for a highly decentralized system that is federally financed from Washington, but state-designed; and it delivers the health care through the private health care system. It guarantees universal coverage, comprehensive benefits, costs containment, the freedom to choose your own employers, and accountability. Every citizen should be entitled to that kind of coverage in this society.

The reason I came over to talk about this is that today we are being treated to one of those events that begins the campaign season when people start putting out press releases in the form of resolutions. This one is H. Con. Res. 271, expressing the sense of the Congress that public awareness and education about the importance of health care coverage is of the utmost priority, utmost priority, and that the national importance of Health Care Coverage Month should be established to promote these goals. So we will have a whole month for people to get up here and tell you how everybody ought to have health insurance.

But the question you have to ask yourself is, Where is the proposal that would provide health care coverage for everybody? Where is it? We can put out these press releases.

This thing reminded me of the reason I came over here and I was sitting there reading this and I thought about the joke of the Methodist minister. He had gotten very ill and so the head of the board of deacons called all the deacons together one night and he called a meeting and they all got together to decide what to do about the illness of the minister. They had a long discussion. Many things were argued back and forth. And finally by a vote of six to five with 20 abstentions, they decided to write a letter to the minister urging him to get well.

Now, that is what this is. This is saying to the American people, why do you people not go out and get health insurance? What is the matter with you? Do you not know how important that is? As though the American people were stupid or that they would not be doing it if they could.

The resolution is an indictment of itself. It says, ''Whereas over 17.3 million of the uninsured are employed, but are not offered health coverage through their employers.''

Now, if you are an individual in this country and you work full time and you are not offered it through your job, you are supposed to go out by yourself and find a policy. Anybody who knows anything about that kind of experience knows how ridiculous it is to say to people, you should be aware.

When are we going to take up the issue in real substance and get away from these letters to the American people to get well?

MAKE BUSH TAX CUT PERMANENT

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, I come to the well today to draw attention to an issue which affects over 100 million American taxpayers. This past year because of the leadership of President Bush and the gentleman from Illinois (Mr. HASTERT) and the House Republican majorities, we were successful in enacting a tax cut which benefits and helps over 100 million taxpayers who now have lower taxes. And what we call the Bush tax cut when it was passed into law does a number of things. It lowered rates for everyone. In fact, 3.9 million families with children no longer pay Federal income tax. We have brought fairness to the Tax Code by phasing out the death tax, by eliminating and wiping out the marriage tax penalty, and also providing opportunities for taxpayers to save for retirement, a tremendous benefit for over 100 million Americans. And unfortunately, because of some of the arcane rules that we have in this Congress, that tax cut was made on a temporary basis.

It is always interesting that in this Congress under the rules that the House and Senate operate under, that spending increases and tax increases are easily made permanent; but when you want to lower taxes, you can only do it on a temporary basis, meaning that down the road that those who benefit from elimination of the marriage tax penalties or elimination of the death tax or seeing their taxes lowered because of rate reductions will have a tax increase.

In fact, when the Bush tax cut expires, it will be the biggest tax increase in our country. I want to draw attention to just one example of what the permanency of the Bush tax cut means. There are 43 million married working couples who benefit from the marriage tax relief. And I am one of those who, like many in this House, particularly on the Republican side, who feel it is wrong that under our Tax Code that 43 million married couples paid higher taxes just because they were married prior to the Bush tax cuts. We passed legislation several times out of this House of Representatives to eliminate the marriage tax penalty, to eliminate that unfair aspect; and unfortunately, President Clinton at the time vetoed it.

But under President Bush we were successful in eliminating the marriage tax penalty, but unfortunately our efforts to wipe out the marriage tax penalty were temporary and means that if we do not make permanent the Bush tax cut, do not make permanent our efforts to eliminate the marriage tax penalty, 43 million married couples will have to pay higher taxes and will suffer once again the marriage tax penalty.

I believe, like I know many of my colleagues do, that it is just wrong that under our Tax Code that anyone should have to pay higher taxes just because they are married, because I believe, and I know Republicans believe, that we have should not punish society's most basic institution.

The marriage penalty occurred in the past because of the complications of our Tax Code. Married couples filed jointly, they combined their incomes, and it pushed them into a higher tax bracket. And they save about $1,700 in taxes because of our marriage tax penalty relief. The bottom line is let us prevent a new marriage tax. Let us prevent an increase in taxes on married couples.

The House has passed legislation to make permanent the Bush tax cut, to make permanent our efforts to wipe out the marriage tax penalty. My hope is the entire Congress, Democrats and Republicans, will work together and pass this legislation as well. Let us make the Bush tax cut permanent. Let us benefit over 100 million taxpayers who, unless we act, will see higher taxes in just a few short years.

□ 1300

DOE'S LITTLE SECRET

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Nevada (Mr. GIBBONS) is recognized during morning hour debates for 5 minutes.

Mr. GIBBONS. Mr. Speaker, we have assumed for some time that the Department of Energy has made an overwhelming effort to prove that their research on the Nation's spent nuclear fuel is based on sound science and safe for Americans. Well, Mr. Speaker, I stand before my colleagues today to ask that despite the DOE's claims that Yucca Mountain is a geologically safe place to store 77,000 tons of the Nation's nuclear waste, that we take a closer look at the truth behind these claims.

Recently, Mr. Speaker, Nevadans have become aware of some very disturbing information about these DOE claims. In its final environmental impact statement, the DOE evaluated the handling, transporting and disposition of spent nuclear fuel and high level radioactive waste to Yucca Mountain.

Although 131 sites across this country contain this nuclear waste and although the waste at these sites require individual attention due to radioactivity dangers, the Department of Energy has entirely neglected to evaluate the effect of waste transportation of at least 54 different sites. Mr. Speaker, this negligence is simply unacceptable.

In considering the dangers of hauling nuclear waste across the country, through our neighborhoods, near our schools and parks, it is obvious that the DOE should have investigated these important facilities. Most of these facilities are research reactor sites at major universities and significant commercial research and fuel fabrication plants. Shipping the high level radioactive waste from these facilities is a hazardous undertaking that cannot be ignored, and the DOE has done so.

Similar movement of research reactive fuel has been explored in the past. In just one instance, after a mandatory preparation of an extensive report, several years of analysis, and two arduous legal challenges, a shipment of foreign research reactor fuel was transported to North Carolina.

The question is, shall Americans stand by and wait for a mistake in shipping this hazardous research reactor fuel or will we demand that the DOE take into account these 54 sites before it presents our government with a proper environmental analysis?

Clearly, the Department of Energy has altogether ignored a vast and critical component of its Yucca Mountain project.

Mr. Speaker, Americans should be outraged at this negligence, and again, I ask that we take a closer look at the reports handed over to us by the DOE.

Finding a solution to our Nation's nuclear waste problem should be a process of justice, sound science and integrity, not one of carelessness and political expediency.

Mr. Speaker, the Yucca Mountain project is not an equitable solution. It is not a trustworthy solution or a suitable solution to our nuclear waste problem.

I urge all my colleagues to make a responsible decision on this potentially devastating resolution tomorrow. Vote no on the Yucca Mountain project. Vote no tomorrow on House Joint Resolution 87.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 3 minutes p.m.), the House stood in recess until 2 p.m. today.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 2 p.m.

PRAYER

The Reverend Emmett J. Gavin, Prior, Whitefriars Hall, Washington, D.C., offered the following prayer:

Gracious and loving God, as the world around is blossoming with new life, grant the fullness of life, hope and prosperity to all Your children throughout this troubled world. As we gather here at the seat of government of this great and blessed Nation, we are all too mindful that our world is gripped with conflict and division. We pray for peace and an end to hatred and discord in all corners of our world. Let all Your children come to know, accept and celebrate that You are a God of inclusion and compassion and acceptance. And knowing and rejoicing in that blessed assurance, let all peoples join together in a sacred commitment to peace and unity throughout our world.

We particularly pray this day for a decisive and definitive end to terrorism in all its hateful forms throughout the length and breadth of the family of nations. Transfer all Your people into agents of reconciliation and healing and help us to have the courage to use the great blessings we enjoy as a Nation to be the leaders in bringing about a more just and equitable world.

In this month of May, when we will, as a Nation, remember with gratitude and pride the men and women of our Armed Forces who have laid down their lives in defense of freedom, we pray in a special way for the safety of our military personnel throughout the world who are striving to bring an end to terrorism and injustice. We beseech You Almighty and loving God to bring them all home safely.

We thank and bless You, Lord, confident that You will hear and answer our prayers. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. FROST) come forward and lead the House in the Pledge of Allegiance.

Mr. FROST led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the bill on the Private Calendar.

NANCY B. WILSON

The Clerk called the bill (H.R. 392) for the relief of Nancy B. Wilson.

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

RESIGNATION AS MEMBER OF COMMITTEE ON RULES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Rules:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2002.

Hon. J. DENNIS HASTERT,
Speaker of the House,
Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the House Committee on Rules.

Sincerely,

TONY P. HALL,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Resources:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2002.

Hon. DENNIS HASTERT,
Speaker of the House, U.S. Capitol Building, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the House Committee on Resources.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

RESIGNATION AS MEMBER OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Transportation and Infrastructure:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 7, 2002.

Hon. DENNIS HASTERT,
Speaker of the House, U.S. Capitol Building, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the House Committee on Transportation and Infrastructure.

Sincerely,

JAMES P. MCGOVERN,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

ELECTION OF MEMBER TO COMMITTEE ON RULES

Mr. FROST. Mr. Speaker, I offer a resolution (H. Res. 413), and I ask unanimous consent for its immediate consideration in the House.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. RES. 413

Resolved, That the following named Member be, and is hereby, elected to the following standing committee of the House of Representatives:

Committee on Rules: Mr. MCGOVERN of Massachusetts to rank immediately after Mrs. SLAUGHTER of New York.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SHEIK AL-BURAIK IS NO FRIEND

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, when Saudi Crown Prince Abdullah visited the President in Texas recently, he brought a prominent government cleric named Sheik Saad Al-Buraik with him in his entourage.

I would like to share with the House of Representatives some of the statements Sheik Al-Buraik has said about America. He says, ''I am against America until this life ends, until the day of judgment. I am against America even if the stone liquefies. She is the root of all evils and wickedness on earth.''

And what does the Sheik have to say about Jews and Christians? He says, ''Don't take the Jews and Christians as allies. Do not have any mercy, neither compassion on the Jews, their blood, their money, or their flesh.''

Mr. Speaker, most shocking of all is what he has to say about Jewish women. He says to the Palestinians, ''Jewish women are yours to take, legitimately. God made them yours. Why don't you enslave their women? Why don't you wage jihad? Why don't you pillage them?''

Sheik Al-Buraik recently hosted a 2-day telethon in Saudi Arabia that raised over $100 million to reward the families of Palestinian homicide bombers.

Mr. Speaker, Prince Abdullah says he wants to be part of the peace process. Well, we will be ready to listen when he dumps Sheik Al-Buraik from his list of friends and advisors.

ANTIBIOTIC DRUGS ARE BEING OVERUSED

(Mr. BROWN of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BROWN of Ohio. Mr. Speaker, antibiotic drugs have revolutionized human and veterinary medicines. Many diseases and infections, tuberculosis, pneumonia, typhoid, cholera, which were once difficult to treat, and often lethal, have been made readily curable by antibiotic drugs.

But unfortunately, when bacteria are exposed to antibiotics, resistant strains emerge, posing a renewed threat to human health. This phenomenon makes it more difficult and vastly more expensive to treat some infections.

We all know that the inappropriate use of antibiotics in human medicine has contributed to this problem. And mounting scientific evidence also shows that the routine feeding of antibiotics to healthy farm animals, nontherapeutic use, promotes the development of antibiotic-resistant bacteria that can then be communicated to people.

In recent years, the list of simple bacterial infections that are strongly resistant to several classes of antibiotics has grown dramatically. Each day that we fail to act, antibiotic resistance grows, the long-term usefulness of our antibiotics are undermined.

Mr. Speaker, I urge Members to support H.R. 1771 and H.R. 3804 to address the misuse and overuse of antibiotics in human and animal medicine.

STOP YUCCA MOUNTAIN

(Mr. GIBBONS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GIBBONS. Mr. Speaker, the issue of Yucca Mountain is safety. H.G. Wells once said that human history becomes more and more a race between education and catastrophe. Mr. Speaker, nothing in the history of mankind has withstood the test of 10,000 years.

What was the state-of-the-art technology and engineered as safe as late as 1970, has proven today 30 years later, not to be a safe solution. Let us not allow short-term safety issues to become serious long-term problems hundreds of years from now.

The Department of Energy cannot assure the safety and suitability of Yucca Mountain, not even 10 years from now; and that is why they have turned to basing their proposal on engineered barriers, instead of suitability of the site. Yucca Mountain will not solve our nuclear waste problem; it just creates one additional, yet unsuitable, repository. And our current sites will only have 9 percent less waste than they do today.

Mr. Speaker, I urge Members to work toward a real solution based on 21st century technology, and reject H.J. Res. 87 tomorrow.

NATIONAL SMALL BUSINESS WEEK

(Mr. DAVIS of Illinois asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, for the past 39 years, the President of the United States has issued a proclamation calling for the celebration of Small Business Week. I rise to draw attention to that designation and to that celebration. This celebration honors the estimated 25 million small businesses in America that create three out of every four jobs and generate the vast majority of business innovations.

Small businesses account for 99.7 percent of America's employees. I think it is time that we pay tribute, honor, acknowledge the great work that they do, and urge all Americans to shop at a small business, take care of small businesses.

WELFARE REFORM WORKS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, I am pleased to say that welfare reform works. Yes, welfare reform works. The monumental reform that this Republican House achieved in 1996 allows families to defeat poverty and regain their independence.

However, it is time to continue the good work from 1996. I voted last week for the Working Toward Independence Act approved by the Committee on Education and the Workforce, and we need to continue to support measures that promote healthy, two-parent families, and oppose provisions that penalize married couples.

President Bush has set an aggressive agenda for keeping families together, and this House has a chance to solidify this effort through the Republican bill for reauthorization.

The 2.3 million families who have used the reforms to become self-supporting deserve this reform. The countless numbers of families who are still working to achieve independence need this reform. Why do we need this reform? Because welfare reform works.

PICTURE THEM HOME

(Mr. LAMPSON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMPSON. Mr. Speaker, I am going to divert today from my normal story about Ludwig Koonz and my request to have him returned from Italy to his father here in the United States, to talk about and to ask Members to participate this month in the Picture Them Home campaign.

Nearly 2,000 children are reported missing every day in this Nation. The Picture Them Home campaign is an annual effort to encourage the public to really look at pictures of missing children and report what they know to the authorities. One in six missing children is recovered as a result, and it is vital that we take the pledge to Picture Them Home.

Mr. Speaker, there are a number of simple ways that Americans can get involved and help take a stand against child abduction and victimization, making America safer for our constituents. A packet on the Picture Them Home campaign will be delivered to Members' offices this week. I encourage Members and their staff to look at it and to work on the simple efforts that it will detail within that packet. If we all do our part, together we can renew interest in the cases of missing children that remain unsolved, and help more families bring their children home.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6:30 p.m. today.

CLARENCE B. CRAFT POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4486) to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the ''Clarence B. Craft Post Office Building.''

The Clerk read as follows:

H.R. 4486

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CLARENCE B. CRAFT POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, shall be known and designated as the ''Clarence B. Craft Post Office Building''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the Clarence B. Craft Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4486.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4486, introduced by the gentleman from Arkansas (Mr. BOOZMAN) designates the facility of the United States Postal Service located in Fayetteville, Arkansas, as the ''Clarence B. Craft Post Office Building.'' Members of the entire House delegation from the State of Arkansas are cosponsors of this legislation.

Mr. Speaker, an American hero passed away on Thursday, March 28, in Fayetteville, Arkansas. Private First Class Clarence Craft received the Congressional Medal of Honor from President Harry Truman for his faithful and courageous service to this country during World War II. He was 80 years old.

□ 1415

Mr. Craft went on to become a regular volunteer at the local VA hospital in Fayetteville where he logged more than 9,300 hours helping fellow veterans. He also was a dedicated member of Fayetteville American Legion Post 27 where he was an active member for over 56 years.

Though we may honor Private Craft for his storied military career, Mr. Craft preferred to talk about his family whom he so dearly loved. Mr. Craft will be missed by all who knew him; and every American owes a debt of gratitude to him for his valiant service to this country.

Mr. Speaker, I urge the adoption of H.R. 4486.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Government Reform, I rise in support of H.R. 4486, legislation naming a postal facility after Clarence B. Craft. H.R. 4486, introduced by the gentleman from Arkansas (Mr. BOOZMAN) on April 18, 2002, is supported and cosponsored by the entire Arkansas State congressional delegation.

The obituary in the Morning News said that Clarence B. Craft was born on September 23, 1921, in San Bernardino, California, and died on March 28, 2002, in Fayetteville, Arkansas. It reported that he was retired from construction and that he was a recipient of the Medal of Honor. Indeed, Clarence B. Craft's life was distinguished by true heroism and service to his country, both during World War II and afterwards.

According to the citation accompanying Clarence Craft's Medal of Honor, on May 31, 1945, as a private first class in the U.S. Army, he, and I quote, ''was a rifleman when his platoon spearheaded an attack on Hen Hill, the tactical position on which the line of enemy defense on Okinawa was hinged. For 12 days our forces had been installed and repeated heavy assaults had been thrown back by the enemy with serious casualties. Against odds that appeared suicidal, Private First Class Craft launched a remarkable one-man attack. He stood up in full view of the enemy and began shooting with deadly marksmanship whenever he saw hostile movement. Private First Class Craft killed at least 25 of the enemy. But his contribution to the campaign on Okinawa was of much more far-reaching consequence, for Hen Hill was the key to the entire defense line which rapidly crumbled after his utterly fearless and heroic attack.''

Yet despite this display of heroism, Clarence Craft never thought of himself as a hero. He would often tell people that he did not do anything that any other GI would not do in my spot.

Clarence Craft's service did not end in World War II. According to the obituary that appeared in the Northwest Arkansas Times, he spent the last 25 years of his life in Arkansas, where he served others through volunteerism at the Veterans Affairs Medical Center and National Cemetery. There is a Clarence B. Craft primary care center on the hospital grounds. In addition, Mr. Craft was recognized for his almost 9,000 hours of service between 1992 and 2000 with a volunteer service award from the Veterans Affairs Office. United States Senator BLANCHE LINCOLN observed that ''Clarence Craft's continued commitment to his country and his community was impressive. Even after he retired, he went on to donate thousands of hours to helping fellow veterans. That is a tremendous example of selflessness above and beyond his heroism fighting for our country.''

Mr. Speaker, Clarence Craft was the epitome of what a good citizen should be, a man who served his country through heroic deeds in war and dedicated volunteerism in peace. By naming the post office at 1590 East Joyce Boulevard in Fayetteville, Arkansas, for him, we will be remembering a true American hero and a great citizen.

Mr. Speaker, I reserve the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I am pleased to yield such time as he may consume to the distinguished gentleman from Arkansas (Mr. BOOZMAN), the sponsor of this legislation.

Mr. BOOZMAN. Mr. Speaker, I thank the gentlewoman from Virginia for yielding me the time.

Mr. Speaker, H.R. 4486, which I introduced, will name the post office on East Joyce Avenue in Fayetteville, Arkansas after a great American hero, Clarence Craft. I introduced this legislation with all of my colleagues from the Arkansas delegation and I would like to thank the gentleman from Arkansas (Mr. SNYDER), the gentleman from Arkansas (Mr. BERRY), and the gentleman from Arkansas (Mr. ROSS) for their support.

Private First Class Craft received the Congressional Medal of Honor for his actions in World War II during the battle of Hen Hill. He led his battalion to breach enemy defenses on May 31, 1945. Craft was a rifleman with Company G, 382nd Infantry, 96th Infantry Division.

Craft, along with five fellow soldiers, was dispatched to the hill to feel out enemy resistance. The group had proceeded only a short distance up the slope when rifle, machine gun fire and a barrage of grenades wounded three and pinned down the others. Against odds that appeared suicidal, Craft stood up in full view of the enemy, and, according to his citation, began shooting with deadly marksmanship wherever he saw hostile movement. He steadily advanced up the hill, killing Japanese soldiers with rapid fire and driving others to run for cover. When Craft reached the crest of the hill, he threw grenades at extremely short ranges into the enemy positions. His assault lifted the pressure from his company for the moment, allowing members of his platoon to comply with his motions to advance up the hill and eventually overtake the Japanese. When the fighting was over, it is estimated that Craft killed at least 25 of the enemy, but reports say his contribution to the campaign on Okinawa was much greater. Hen Hill was the key to the entire defense line, which rapidly crumbled after his utterly fearless and heroic attack.

Mr. Craft went on to serve a second tour in Korea after his heroics at Hen Hill. Then after retirement Craft continued serving his country by volunteering at the Fayetteville VA Hospital. He logged over 9,300 hours in only 10 years helping fellow veterans who were hospitalized. It is not only the veterans in the hospitals who remember Mr. Craft but the staff also benefited from his service as it is reported that his smile, his jokes and his pleasant, humble demeanor put all immediately at ease and made everyone's time at the hospital more agreeable. Craft also spent many years serving in the Fayetteville American Legion Post 27, where he had been an active member for almost 56 years.

Mr. Craft was a loved and valued member of the Fayetteville, Arkansas community. It is important that we never forget the contributions that Mr. Craft made, not only to America but to Fayetteville and to the State of Arkansas. By naming the post office on East Joyce Avenue after Mr. Craft, we are ensuring that not only will his legacy continue but that his name will live on for future generations.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the distinguished gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, we hear these stories and we read the stories of these men, men like Clarence Craft, and they seem like movies. They seem like fiction. But Mr. Craft was a real person, he was a humble person, and the story was real. It was my pleasure to have met him and talked with him some years ago. Time goes by and each year we lose more of our World War II veterans, we lose more of our Korean War veterans, but we must remember the stories, stories like Mr. Craft's. We must remember the history. We must remember the sacrifice. The naming of this facility will perpetuate his memory but it will also perpetuate the memory of the sacrifice of all of our veterans of World War II and of the many wars that they have served in.

Congratulations today to the gentleman from Arkansas (Mr. BOOZMAN) and to Mr. Craft and his family.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I urge my colleagues to adopt this measure to honor what we have heard today to be a great American hero and a true patriot.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 4486.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RICHARD S. ARNOLD UNITED STATES COURTHOUSE

Mr. BOOZMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4028) to designate the United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, as the ''Richard S. Arnold United States Courthouse.''

The Clerk read as follows:

H.R. 4028

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF RICHARD S. ARNOLD UNITED STATES COURTHOUSE.

The United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, and any addition to the courthouse that may hereafter be constructed, shall be known and designated as the ''Richard S. Arnold United States Courthouse''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the Richard S. Arnold United States Courthouse.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4028, which I introduced, would designate the courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, as the Richard S. Arnold United States Courthouse. I introduced this legislation along with my colleagues, the gentleman from Arkansas (Mr. SNYDER), the gentleman from Arkansas (Mr. BERRY), and the gentleman from Arkansas (Mr. ROSS). I would like to thank them for their support of this measure.

Mr. Speaker, Judge Richard Arnold was born on March 26, 1936, in Texarkana, Arkansas. He graduated from the Phillips Exeter Academy in 1953 before attending Yale University where he majored in Latin and Greek. Judge Arnold graduated from Yale University in 1957 with his B.A. and went on to attend Harvard Law School. He received his LL.B. from Harvard magna cum laude in 1960.

Judge Arnold's distinguished legal career began in 1960 when he served as a law clerk for Supreme Court Justice William J. Brennan, Jr. He went into private practice in 1961 in Washington while teaching part-time at the University of Virginia Law School. In 1964 he returned to Texarkana and was a partner at the law firm Arnold and Arnold. For a year he served as legislative secretary to Governor Dale Bumpers of Arkansas, and from 1974 until 1978 he served as legislative assistant to the newly elected U.S. Senator Dale Bumpers.

In October 1978, President Carter appointed Richard Arnold to the district bench for the Eastern and Western Districts of Arkansas. In 1980, Judge Arnold was elevated to the U.S. Court of Appeals for the Eighth Circuit. He served as Chief Justice for the Eighth Circuit from 1992 until 1998. In April 2001, Judge Arnold took senior status.

Mr. Speaker, I have reviewed Judge Arnold's formal resume and a collection of tributes about his judicial service. The list of his awards, honors and publications is over five pages long. Even on paper it is very apparent that Judge Arnold is a reputable jurist and dedicated public servant. Judge Arnold has devoted his life to justice and the rule of law. I am very pleased that we are able to honor him for his distinguished career and years of service to

our country and Federal judiciary system.

I thank my colleagues for their support of this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4028 is a bill to designate the courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas as the Richard S. Arnold United States Courthouse.

Judge Arnold's career in public service spans over four decades. He was born in Texas and educated in New England. Richard Arnold attended high school at Phillips Exeter Academy, undergraduate studies at Yale, and law school at Harvard. He was a superior student and scholar. While at Yale he was elected to Phi Beta Kappa, and was president of the Yale Debating Society. Harvard Law School awarded him the Sears Prize for the best grades, and the Fay Diploma for graduating first in his class. He clerked for Justice William Brennan and worked for our former colleague, Dale Bumpers, when Bumpers was governor and U.S. Senator.

Judge Arnold's resume is filled with awards and honors, including receiving honorary law degrees from the University of Arkansas and the University of Richmond. He was the Madison lecturer at New York University Law School in 1996.

□ 1430

In 1999 he received the Meador-Rosenberg Award given by the American Bar Association.

Judge Arnold is a prolific writer. His publications are included in the Harvard Law Review, Yale Law Journal, Arkansas Law Review, Washington University Law Quarterly, St. Louis University Law Journal, and the New York University Law Review.

President Carter appointed Judge Arnold to the Federal bench in 1978 and 2 years later he rose to the Court of Appeals for the Eighth Circuit.

Judge Arnold is beloved, respected, and honored by his colleagues and friends. He is a brilliant jurist and his legal opinions are noted for their clarity of thought and expression. He is known for his unfailing courtesy, charity, and good cheer.

It is most fitting that we honor the outstanding career and public service of Judge Richard Arnold with this designation.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, it is my pleasure and honor to know Richard Arnold and I consider him to be a friend. The Arkansas delegation is united in their support for this measure, but his colleagues on the Federal bench are also united in their respect for his accomplishments and for him as a person.

I wanted to add on one biographical detail to the life of Richard Arnold. Twice he was a candidate for Congress in the Democratic primary, and twice he lost. Somehow he managed to overcome this loss and go on to great things in life, despite not being a Member of this House. Of course, many would say that the voters made a right choice to send Richard Arnold to the Federal bench, because that is where he ended up.

Judge Arnold is a great man, with a great wife, Kay, and a wonderful family. His brother also serves on the Eighth Circuit Court of Appeals, and the Arkansas delegation takes great pride today in sponsoring this bill led by the gentleman from Arkansas (Mr. BOOZMAN).

Ms. NORTON. Mr. Speaker, I have no more requests for time, and I yield back the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 4028.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ALFONSE M. D'AMATO UNITED STATES COURTHOUSE

Mr. BOOZMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4006) to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the "Alfonse M. D'Amato United States Courthouse."

The Clerk read as follows:

H.R. 4006

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The United States courthouse located at 100 Federal Plaza in Central Islip, New York, shall be known and designated as the "Alfonse M. D'Amato United States Courthouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Alfonse M. D'Amato United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4006 designates the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the Alfonse M. D'Amato United States Courthouse.

Al D'Amato was born in Brooklyn, New York on August 1, 1937 and he has retained those New York roots ever since. A graduate of Chaminade High School on Long Island, Senator D'Amato worked his way through Syracuse University, earning an undergraduate degree in business administration in 1959 and a law degree in 1962. Also, in 1962, Senator D'Amato was admitted to the practice of law in the State of New York.

Throughout his adult life, Senator D'Amato has dedicated himself to public service. He served as Administrator of Nassau County, New York from 1965 until 1968; Tax Assessor for Hempstead, New York in 1969; Town Supervisor of Hempstead, New York from 1971 until 1977; and as Chairman of the Nassau County Board of Supervisors from 1977 until his election to the United States Senate in 1980.

During his 18-year tenure in the United States Senate, Al D'Amato supported middle class tax cuts, small business loans, increased trade, and free and open markets for U.S. products abroad. As chairman of the Senate Banking and Housing Committee, Senator D'Amato was a leading advocate of legislation that would channel private sector funds into inner cities and other economically distressed areas. The Senator also realized the importance of investing America's assets by supporting sound transportation policy and the creation of infrastructure not only for New York, but also for the Nation.

Mr. Speaker, this naming is a fitting tribute to a dedicated public servant. I support this legislation, and I encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4006 is a bill to designate the new Federal courthouse in Central Islip, New York in honor of former Senator Alfonse D'Amato. Alfonse D'Amato was born in Brooklyn, New York in 1937. He graduated from Syracuse University and Syracuse Law School in 1961 and 1962 and was admitted to the New York Bar. From 1965 to 1968, he served the public as the Public Administrator in Nassau County. His public service also included positions as Town Supervisor, Tax Assessor, and the Nassau County Board of Supervisors. In 1980, he was elected to the United States Senate and served until 1998.

While in the Senate, Senator D'Amato was a tireless advocate for New York and the State's vital interests. He championed inner city economic redevelopment, transit funding, and small business programs. As a member of the Senate Finance Committee, he worked on tax relief initiatives for working and middle class families. He also championed the fight to restore assets from Swiss banks to holocaust survivors and victim heirs.

It is fitting and proper to honor this public servant with this designation.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KING).

Mr. KING. Mr. Speaker, I thank the gentleman for yielding me this time.

I am proud to stand here today as the sponsor of this legislation to name the Federal courthouse in Suffolk County, New York in honor of Alfonse D'Amato.

The gentleman from Arkansas and the gentlewoman from the District of Columbia have detailed the specific accomplishments of Senator D'Amato from his days in Nassau County, in the town of Hempstead, to his 3 terms in the United States Senate culminating, of course, in his service as chairman of the Senate Banking Committee. But Senator D'Amato was much more than that. Senator D'Amato was the quintessential New Yorker.

I had the privilege of knowing Al D'Amato and still knowing him for more than 30 years. During that time I also had the privilege of serving with him on the Hempstead Town Board when I was a Hempstead Councilman and he was the presiding Supervisor, and then during my first 6 years in the United States Congress that overlapped with Senator D'Amato's time in the United States Senate.

I never knew a tougher advocate for the people of New York. I never knew a person who was more loyal to his friends. I never knew a man who was more willing to stand up and do what was right than Senator D'Amato.

I think what was very interesting to me when I was going around trying to get cosponsors for this bill, it was probably the easiest job I ever had, not just Republicans, but from Democrats as well. We have 30 Members of the New York delegation that have signed on to this bill. The reason for that is that they know that whether one is Republican or Democrat, Senator D'Amato would fight for you and your behalf if what you were doing was right and if your constituents needed it. That to me is the real measure of the man, a man who is willing to cross party lines and do whatever has to be done to get the job done.

It is interesting, for instance, that some of Senator D'Amato's closest friends and allies were members of the Democratic Party. Mayor Ed Koch of New York is a close personal friend and colleague of Senator D'Amato. Senator Pat Moynihan, who was Senator D'Amato's colleague in the Senate, is also a very close friend and a colleague and an advocate for Senator D'Amato.

But the reality is that Senator D'Amato also had enemies, and you never know when those enemies are going to come out from the woodwork or out from under their rocks, but the reality is that they could never face up to the fact that Senator D'Amato did not fit their image of what a United States Senator should be. Senator D'Amato was a tough kid from the neighborhood who fought his way up, who was not willing to defer to his elders if that meant sacrificing the good for the common man. He fought hard for what he believed in and, in doing that, he broke some china, he crashed some furniture, but the bottom line was he got the job done.

To me it is interesting to see how Senator D'Amato's enemies react against him when I see the way he reacted against his political opponents. For instance, when Senator D'Amato lost his election to Senator SCHUMER in 1998, I was actually with Senator D'Amato the night he lost. I can tell my colleagues that from that night until today, Senator D'Amato has had nothing but the highest praise for Senator SCHUMER. He never complained about the campaign, he never begrudged Senator SCHUMER his victory, and he works with Senator SCHUMER and Senator CLINTON today doing what he can to help them do their job, to serve the people of New York.

That really was to me the essence of Senator D'Amato, fighting for New York, putting partisanship aside, and doing what was right.

I guess the best way to describe it is that like Frank Sinatra, Al D'Amato did it his way. It was not always the way that appealed to the elite or it was not always the way that appealed to the intelligentsia, but it was the way that it appealed to real people, real people who knew what he stood for, knew he stood for them, and knew that he always, always put the people of the State of New York first.

So I am privileged to stand here today as an advocate for Senator D'Amato as he was an advocate for so many millions of millions of people during his years in public life.

Mr. Speaker, I urge the adoption of this resolution.

Ms. NORTON. Mr. Speaker, it is a great pleasure to yield such time as he may consume to the gentleman from New York (Mr. LAFALCE).

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 4006, a bill to designate the courthouse in Central Islip, New York as the Alfonse M. D'Amato United States Courthouse.

As a New Yorker, a former colleague, and a good friend of Al D'Amato's, I am very proud to be a cosponsor of this bipartisan bill and to join with the gentleman from New York (Mr. KING) and with so many of my colleagues in the New York delegation in honoring him for his many contributions to both our State and our Nation.

It is a fitting tribute to Al D'Amato to name a courthouse in his native Long Island after him. Senator D'Amato was known as a fighter for the great State of New York. Some called him ''Battling Al''; others called him ''Senator Pothole.'' Al D'Amato always wore such monikers proudly, as badges of honor, and he deserved them, in the best sense in which they were meant. His top priority was always to bring to New York the public services and funding it needed, and no one was more effective.

Throughout his career in public service, Al D'Amato fought for economic and social justice, to help the little guy, the underdog, and to fight for unpopular causes, often against long odds and powerful forces, and sometimes within his own party.

For example, he was an early proponent of Federal funding of breast cancer research. As Senator Pothole, he was relentless in assuring that New York received a fair share of the Federal dollar for New York's vast housing transportation and community development needs. As a longtime member of the Helsinki Commission, he fought against religious persecution, here and abroad. He was outspoken against discrimination based on sexual orientation in the military. These positions were not always popular, but Al D'Amato was not one to run away from a fight. To the contrary, he was one who ran head-first into fights. The Alfonse D'Amato United States Courthouse will serve as a testimonial to his commitment and a tribute to his remarkable record of accomplishments.

He was also a New Yorker in every respect. He shared not only with me, but with so many New Yorkers across the State, values and views that transcended political parties, that transcended religious or ethnic origins. His identification with and enthusiasm for worthy causes and his penchant for representing the little guy and the underdog, the taxpayer, the aging and infirm holocaust survivor, the consumer, the elderly enabled him to get elected and reelected statewide as a Republican in an overwhelmingly Democratic State.

I know firsthand about Al D'Amato's energetic style and his pragmatic approach to solving public sector problems in a political arena. Because of my own long tenure on the House Committee on Financial Services, and formerly the Committee on Banking and Financial Services, I was privileged to work very closely with him, especially from the time of his appointment to the Senate Committee on Banking, Housing and Urban Affairs where he eventually rose to become ranking member in 1993 and then chairman in 1994, until his term ended in 1998. So I can speak with personal experience of his accomplishments, and with great pride in the fact that in so many of these worthy causes, we fought side by side.

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Let me select just a few causes and accomplishments from his long and successful career to demonstrate why Senator D'Amato deserves the honor that will be bestowed upon him with the enactment of this bill:

Counterterrorism. As chairman of the Committee on Security and Cooperation in Europe, Senator D'Amato authored the Libya Sanctions Act, to combat efforts by renegade nations to finance international terrorism through oil field development.

Consumer protection. Throughout his tenure, Al D'Amato worked diligently to protect consumers. He deserves particular credit for his efforts in passing the Home Ownership and Equity Protection Act of 1993, which is the foundation of our ongoing effort to curtail and outlaw predatory lending practices. In addition, he used his chairmanship in an ultimately unsuccessful effort to stop banks from charging consumers for use of automated teller machines. But his resolve certainly caused banks to restrain the high fees and charges that had become all too prevalent in the marketplace.

Of course, he was the principal force in the Senate behind passage of a law to allow consumers to cancel unnecessary and costly private mortgage insurance.

Holocaust survivors. As chairman of the Senate Banking Committee, Al courageously led the fight to restore to Holocaust survivors and their heirs the assets they deposited in Swiss banks prior to World War II, eventually resulting in the payment of over $1 billion in restitution to survivors' groups.

Solvency of Federal deposit insurance funds. As Committee on Banking and Financial Services chairman, Al spearheaded the successful effort in 1995 to stabilize the Federal deposit insurance funds, the BIF and the SAIF, at no cost to the Federal taxpayer, in the final chapter of the huge savings and loan scandal. I was proud to have worked with him in the House on this important effort.

Financial modernization. From his very first years in the Senate, Senator D'Amato was interested in modernizing the laws governing the various financial industries, from banks to credit unions. He was an early advocate for interstate banking, and for his entire career fought for the repeal of older laws which impeded competition and innovation by financial service providers.

He worked tirelessly to ensure the safety and soundness of all financial intermediaries, and to protect the Federal taxpayer against a repeat of the savings and loan bailout of the late 1980s, which cost taxpayers over $100 billion.

Mr. Speaker, during his service to New York and to the United States, Senator D'Amato was an important and influential figure. His achievements can justly be said to reach around the globe, to extend from past generations to reach well into the future.

While he has now left public service, his indelible imprint will be felt for some time. By placing his name on this important courthouse, a uniquely American symbol of justice and fairness, the House tonight can acknowledge the significant and important contributions Senator D'Amato has made to our State and our country.

I urge the passage of H.R. 4006.

Mr. BOOZMAN. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I rise in strong support of this legislation that recognizes the years of public service by former New York Senator Al D'Amato.

As a freshman in Congress, I looked to many of my colleagues for advice and guidance when it came to legislating. Senator D'Amato was an invaluable source of knowledge that I relied upon whenever a question or concern arose, by the way, which was quite often in my first 2 years.

Senator D'Amato was able to work with Democrats and Republicans alike, which allowed him to pass legislation beneficial not only to New York, but to the country as a whole.

One of the things about Senator D'Amato, he did work with both sides of the aisle to get something done. I think that is important. We sometimes lose that here. I experienced this firsthand when we worked together on legislation addressing the alarming number of breast cancer cases on Long Island. I was amazed over his ability to obtain so much attention and exposure to a problem that impacts thousands of women across the country. His support for a particular cause went beyond a one-time press conference or a photo opportunity; it was genuine.

In a town where one is known for one's word, we always knew where we stood with Senator D'Amato. His vigorous support for legislation was equaled only to his rigorous opposition, which was always expressed in a proud New York fashion.

Although Senator D'Amato no longer walks the halls of the Senate, he continues to draw attention to problems confronting this country. Renaming a courthouse in his honor is a fitting tribute to someone who served New York as a public servant in the United States Congress for 18 years. I urge my colleagues to support this legislation.

Again, I will stress, Senator Al D'Amato was a man of his word. I think that is important. When one gives one's word and stays with it, I think that is truly a real tribute to someone.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I did not know this resolution or this bill was on the floor, but the gentleman from New York (Mr. LAFALCE) mentioned the Helsinki Commission. I had the opportunity to co-chair the Helsinki Commission. I chaired the House side while Senator D'Amato chaired the Senate side of the Helsinki Commission for a number of years.

I rise simply to observe that Al D'Amato was, of course, a vigorous partisan and proponent of his party, but at the same time, he was a supporter of making sure that we did the business in the Senate and the House in a way that did credit to America and to its principles.

I say that because he was the Chair of the Helsinki Commission when the Senate was taken over by the Republicans in the 1980s; specifically, in 1985 and 1986. There was a real effort, frankly, to change a nonpartisan professional staff to a staff that reflected party affiliation more than professional ability.

Senator D'Amato, as I said, was chair of the Commission. Because it goes between the House and Senate, it was the Senate's opportunity. Senator D'Amato, I know, received many suggestions about changes in staff. The staff to this day remains a professional staff, unrelated to partisan politics, serving not only this country's interests but the interests of so many citizens around the world who look to the Helsinki Commission to raise issues of human rights and political rights. For that alone, I would have great respect for Senator D'Amato.

I wanted to make that observation, that he saved, frankly, the Helsinki Commission's professional staff from being politicized at a time when that could very well have happened.

I am pleased to rise in support of the legislation, Mr. Speaker.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 4006, which designates the new federal courthouse in Central Islip, New York in honor of former New York Senator Alfonse D'Amato. Senator D'Amato's career in public service spanned nearly three decades, starting in 1965 with his service as administrator of Nassau County, New York. In 1980, he was elected to the first of three terms in the United States Senate. While in the Senate, Mr. D'Amato served as Chairman of the Senate Banking Committee and was a senior member of the Senate Finance Committee and Senate Appropriations Committee.

A life-long New Yorker, Mr. D'Amato was born in Brooklyn, New York in 1937, and attended New York public schools on Long Island. He graduated from Chaminade High School before working his way through Syracuse University. He attended Syracuse Law School and was admitted to the bar in 1962.

I first came to know Alphonse D'Amato in 1989 when we were both appointed to serve on the Presidential Commission on Aviation Security and Terrorism, commonly known as the Pan Am 103 Commission. Senator D'Amato was a strong advocate for rigorous aviation security laws and we worked hard on the Commission to ensure that we investigated the cause of not only the Pan Am tragedy, but of other aviation incidents as well. We made recommendations to significantly toughen our aviation security policies and when it came time to pass legislation to implement our

commission's recommendations, Mr. D'Amato took a leading role in the United States Senate.

Senator D'Amato was also a tireless advocate for transit issues, specifically, for ensuring that the people of New York had access to a safe and effective public transportation system. We worked very closely together to ensure that transit received its fair share in the Transportation Equity Act for the 21st Century ("TEA 21"). As a result, transit funding has grown from $4.3 billion in fiscal year 1997 to an expected $7.2 billion this year—a 67 percent increase!

Senator D'Amato was a vocal advocate for inner cities, particularly economically distressed and underserved areas. He was also a forceful advocate for human rights and an unwavering supporter of Israel.

I am pleased that we are honoring Senator D'Amato with this designation of the new, state-of-the-art, federal courthouse in New York. I urge my colleagues to support H.R. 4006.

Ms. MALONEY. Mr. Speaker, I rise today in support of H.R. 4006, a bill to name the federal courthouse in Central Islip, New York, as the "Alfonse M. D'Amato United States Courthouse."

For 18 years, Alfonse D'Amato represented the State of New York with strength, determination, and caring. As Chairman of the Banking Committee, he led the fight in the Senate to make it easier for consumers to cancel unneeded, expensive mortgage insurance. He also fought to help Holocaust survivors and victims recovery assets.

His esteemed nickname, "Senator Pothole," was indicative of his willingness to fix New York's problems—small and large, even the literal potholes we New Yorkers have become accustomed to. He recognized the need to invest in our nation's transportation infrastructure.

Although the former Senator and I did not agree on many issues, I applaud and admire his dedication to the great people of New York.

The Alfonse D'Amato Courthouse would be a lasting tribute to a man whose public service lives on in New York.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 4006.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PAUL SIMON CHICAGO JOB CORPS CENTER

Mr. BOOZMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 378) to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Job Corps Center."

The Clerk read as follows:

S. 378

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION OF PAUL SIMON CHICAGO JOB CORPS CENTER.

(a) IN GENERAL.—The Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, and known as the "Chicago Job Corps Center" shall be known and designated as the "Paul Simon Chicago Job Corps Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the "Paul Simon Chicago Job Corps Center".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 378 designates the Federal building in Chicago, Illinois, as the Paul Simon Chicago Job Corps Center.

Senator Paul Simon was born in Eugene, Oregon, on November 29, 1928, and attended public schools. He went on to attend the University of Oregon, and Dana College in Blair, Nebraska.

At the age of 19, Senator Simon became the Nation's youngest editor-publisher by saving the Troy Tribune in Troy, Illinois. He expanded his newspaper business to a chain of 14 weeklies in central and southern Illinois. Senator Simon used the newspaper to expose a syndicate gambling operation in Madison County, and in 1951, at the age of 22, he was called to testify before the United States Senate Crime Investigating Committee.

In 1966, he sold his newspaper business to devote full time to writing and public service. Senator Simon served in the United States Army, and was assigned to the Counterterrorism Corps as a special agent along the Iron Curtain in Europe.

Upon his return from Europe at the age of 25, he was elected to the Illinois House of Representatives. He was reelected three times before being elected to the State Senate in 1962 for a 4-year term. Voters returned him to the State Senate in 1966. Halfway through his second Senate State term, he was elected lieutenant governor, and served until 1973. He was the first lieutenant governor to be elected to that post with the governor of another party.

Senator Simon was elected to the United States House of Representatives in 1974, and served for 10 years before being elected to the United States Senate in 1984. While in Congress, Senator Simon was a leading advocate for education, disability policy, and foreign affairs.

He was the chief sponsor of the Missing Children Act, which established the National Center for Missing and Exploited Children.

Senator Simon also played a vital role by enacting job training education programs, including the National Literacy Act, the School-to-Work Opportunities Act, the Job Training Partnership Act, and the Direct College Loan Program. He was also the chief sponsor of the Balanced Budget Amendment of 1986, and initiated legislation to designate the first 5 federally-chartered high-speed rail corridors.

Senator Simon holds 39 honorary degrees and has written 15 books. It is appropriate that the Job Corps Center in Chicago be designated on behalf of Paul Simon. He was a dedicated public servant who cared greatly about advancing job-training opportunities for everyone. I support this bill, and ask my colleagues to support it, as well.

Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I strongly support the Senate bill, S. 378, a bill to designate the Job Corps center located at 334 South Kedzie Avenue in Chicago as the Paul Simon Chicago Job Corps Center.

The gentleman from Illinois (Mr. COSTELLO), the ranking member of the Committee on Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings and Emergency Management, introduced the House companion bill, H.R. 2015, to honor the distinguished Senator from Illinois, Senator Paul Simon.

He was born in 1928 in Eugene, Oregon. He attended the University of Oregon and Dana College in Blair, Nebraska. As a 19-year-old teenager, he became the Nation's youngest editor-publisher when he accepted a local Lions Club challenge to save the Troy Tribune in Troy, Illinois. Needless to say, he met and exceeded the challenge, and proceeded to establish a chain of 13 newspapers in southern and central Illinois.

In 1954, he was elected to the Illinois House, and in 1962, he was elected to the Illinois Senate. During his State legislative career, he earned a reputation for political integrity and courage. In 1968, Senator Simon was elected lieutenant governor, and was the first person in State history to hold that post with the governor of another party.

In 1974, Senator Simon was elected to the House of Representatives, and served for 10 years. His legislative skills were put to use on issue areas including education, disability policy, and foreign affairs. He played a crucial role in establishing the National Center for Missing and Exploited Children.

In 1984, he upset the three-term incumbent, Senator Charles Percy, to win election to the U.S. Senate. Senator Simon was a prodigious worker, known for exceptional constituent service. His even-handed and balanced

approach to topics and controversial issues earned him friends on both sides of the aisle. His colleagues appreciated his personal warmth and sense of humor.

Paul Simon currently teaches political science and journalism at Southern Illinois University, Carbondale campus, and heads up the public policy institute that he founded.

Those of us who know Paul and his many talents are particularly delighted at this very fitting honor. It is just that, a fitting and proper tribute to an outstanding public career. I support S. 378, and urge my colleagues to join me in support of this legislation, named for Senator Paul Simon.

Madam Speaker, I reserve the balance of my time.

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Mr. BOOZMAN. Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield 2 minutes to my good friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, I thank the gentlewoman for yielding me time.

Madam Speaker, I guess one aspect of serving for over 2 decades in the House you get to know some extraordinary people, some extraordinary people who have been sent here from around the United States to represent them in the House and in the Senate. Paul Simon is one of the most decent people with whom I have served either in the 12 years I was in the Maryland Senate or the 21 years I have been here. Paul Simon and his wife, Jean, who passed away some years ago, were two people who loved this country, who loved Illinois, and who loved this House. I am sure they loved the Senate as well. But Paul Simon was someone who brought great credit to democracy in his honesty, his integrity, and as the gentlewoman from the District of Columbia (Ms. NORTON) has pointed out, his hard work on behalf of his constituents.

Americans were made prouder by this House of Representatives by knowing Paul Simon. Senator Simon, of course, became a candidate for President. He did not win the nomination, but he won the hearts and minds of literally millions of people around this Nation for his honesty and his deep sense of pride in this country and his deep concern for its people. I am proud to rise on this floor to pay tribute to Paul Simon and to say what an appropriate thing it is to name a Job Corps center for someone who cared so deeply about young people and about education, and about opportunities, and about hope.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in closing I cannot stand simply as a member of the subcommittee and offer the subcommittee's views on Paul Simon, because anyone who had the great pleasure and honor of knowing Senator Paul Simon, as I did, would have to inform this House that this was a man of the House and of the Senate who not only deserves this honor but who still resides in the hearts of many of us who remain here.

I was not in the House when Senator Simon served in the House. I got to know him when he came to the House and he was a Senator living in Southwest Washington. Here was a Senator who managed to be, of course, deeply involved in matters pertaining to his own State, but because he lived in Southwest Washington felt he had to become a citizen of Southwest as well. And he and his wife engaged in activities to help improve the District of Columbia. It was not only through the District of Columbia's affairs that I got to admire Senator Simon. I have particular admiration for his extraordinary intellect, for his gifts as a writer and as a journalist. There are any number of different institutions that can be named for Paul Simon because his talents are spread so evenly across so many different fields.

I want to particularly thank this Senator for the generosity he showed the people of the District of Columbia. He supported statehood. He supported full voting rights and full citizenship for the residents of the District. So it is not only a member of the committee, and I think speaking for all of us in the House and Senate that I stand to honor him today, speaking also with special warmth and meaning on behalf of residents of the District of Columbia.

Mr. OBERSTAR. Madam Speaker, I am very pleased to support S. 378, a bill to honor our former House and Senate colleague, Paul Simon.

Paul Simon and I were both elected to the House in the same year—1974. He came to the House after a distinguished career in the Illinois State Legislature. Mr. Simon was elected to the Illinois House of Representatives in 1954 and then to the Illinois Senate in 1962. During his 14 years in the State legislature, he won the Independent Voters of Illinois ''Best Legislator Award'' in every session. In 1968, Mr. Simon was elected as Illinois' Lieutenant Governor. After teaching at Sangamon State University in Springfield, Illinois, and the John F. Kennedy School of Government at Harvard University, he returned to public service in 1974 with his election to the House.

While we served in the House together, I was consistently impressed by Mr. Simon's energy and creativity. He was not only an effective legislator, but was also a prolific author. One of his books, The Tongue Tied American, which he wrote while serving in the House, explored the lack of foreign language skills in this country and its detrimental impact on foreign affairs. It was an issue that he and I joined forces on to stimulate the study of foreign languages and international affairs in U.S. colleges and universities.

In 1984, Paul Simon upset Senator Percy to win a seat in the U.S. Senate. In 1990, he won re-election to the Senate by defeating his opponent with 65 percent of the vote and by nearly a million votes—the largest plurality of any contested candidate for senator of either party that year.

While in the Senate, he become the champion of new, direct college loan programs, and was the chief democratic sponsor of the balanced budget amendment. He was active in addressing violence in television programming, and a primary author of the National Literacy Act, the Job Training partnership amendments, and several provisions of the 1994 Elementary and Secondary Education Act.

Most recently, Senator Simon has returned to teaching and currently teaches political science and journalism at Southern Illinois University—Carbondale campus.

Paul Simon is a true gentleman, thoughtful and courteous. The people of Illinois and the American public benefited greatly from his service both in the House and Senate.

Paul Simon's contributions, particularly in the area of education and job training, set a standard for us all. The designation of the job corps center in Chicago in his honor is a fitting tribute to his exemplary public service.

I urge my colleagues to support S. 378.

Mr. COSTELLO. Madam Speaker, I strongly support Senate bill S. 378, a bill to designate the job corps center located at 3348 South Kedzie Ave. in Chicago as the Paul Simon Chicago Job Corps Center. I am honored and pleased to introduce the House companion bill, H.R. 2015, to honor the distinguished Senator from Illinois, Senator Paul Simon.

Paul Simon was born in 1928 in Eugene Oregon. He attended the University of Oregon and Dana College in Blair, Nebraska. As a 19 year old teenager he became the Nation's youngest editor-publisher when he accepted a local Lion's Club challenge to save the Troy Tribune in Troy, Illinois. Needless to say he met and exceeded the challenge and proceeded to establish a chain of 13 newspapers in southern and central Illinois.

In 1954 he was elected to the Illinois House, and in 1962 he was elected to the Illinois Senate. During his state legislative career he earned a reputation for political integrity and courage. In 1968 Simon was elected lieutenant governor, and was the first person in state history to hold that post with the governor of another party.

In 1974 Simon was elected to the House for Representatives and served for 10 years. His legislative skills were put to use on issue areas including education, disability policy, and foreign affairs. He played a crucial role in establishing the National Center for Missing and Exploited Children. In 1984 he upset three-term incumbent Senator Charles Percy to win election to the U.S. Senate. Senator Simon was a prodigious worker, known for exception constituent service. His evenhanded, balanced approach to topics and controversial issues earned him friends on both sides of the aisle. His colleagues appreciated his personal warmth and sense of humor.

Paul Simon currently teaches political science and journalism at Southern Illinois University—Carbondale campus and heads up the public policy institute that he founded. It is truly fitting and proper we honor the outstanding public career of Senator Simon with this designation. I support S. 378 and urge my colleagues to join me in support of this legislation.

Mr. DAVIS of Illinois. Madam Speaker, I rise today in support of S. 378, a bill to name the building located at 3348 S. Kedzie the Paul Simon Chicago Job Corps Center. I want to commend our senior Senator DICK DURBIN for his sponsorship of this bill.

Former Senator Paul Simon really epitomizes the virtues of work and what the Job

Corps stand for. Senator Simon at the age of 19 became the nation's youngest editor-publisher when he accepted a local Lion's Club challenge to save the Troy Tribune in Troy, IL—near St. Louis. He built a chain of 15 newspapers in southern and central Illinois, which he utilized to expose syndicate gambling connections in Madison County.

Senator Simon has always been a voice for the disadvantaged and less fortunate throughout his career in the Illinois State House and the Illinois State Senate. During his 14 years in the state Legislature, he won the Independent Voters of Illinois' ''Best Legislator Award'' every session. Senator Simon became known throughout the state as a public official with high integrity and great political courage. He did what was right—even if it was not expedient.

Senator Simon served as lieutenant governor in 1968, and was the first in the state's history to be elected to that post with a governor of another party. His work in that office focused on making government work more efficiently and effectively for its citizens.

During his years in the Senate he focused on education, job training, transportation and limiting violence on television networks. His integrity, exceptional constituent services, openness and willingness to listen are all virtues to be admired. He was without question one of the best Members to ever serve in the House and the Senate.

Senator Simon has retired from the Congress, but not from the influence of public policy. He is currently teaching at Southern Illinois University—where he is helping to shape young minds and future leaders.

The designation of the Job Corps facility at 3348 S. Kedzie is an excellent tribute to my friend Senator Simon—and may help to inspire all the young people who pass through.

Ms. NORTON. Madam Speaker, I yield back the balance of my time.

Mr. BOOZMAN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the Senate bill, S. 378.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Williams, one of his secretaries.

HARVEY W. WILEY FEDERAL BUILDING

Mr. BOOZMAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2911) to designate the Federal building located at 5100 Paint Branch Parkway in College Park, Maryland, as the ''Harvey W. Wiley Federal Building.''

The Clerk read as follows:

H.R. 2911

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building located at 5100 Paint Branch Parkway in College Park, Maryland, shall be known and designated as the ''Harvey W. Wiley Federal Building''.

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the ''Harvey W. Wiley Federal Building''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Madam Speaker, I yield myself such time as I may consume.

H.R. 2911 designates the Federal building located at 1500 Paint Branch Parkway in College Park, Maryland, as the Harvey W. Wiley Federal building.

Harvey Washington Wiley was born in a log farm house in Indiana in 1844. He served as a corporal in the Civil War and then attended Hanover College where he earned a bachelors degree in 1867. He went on to study medicine at Indiana Medical College where he received his medical degree in 1871. He continued his education at Harvard University where he earned a bachelors degree in chemistry.

Dr. Wiley joined the faculty at Purdue University in 1874 where he developed and taught the first laboratory course in chemistry. Taking a sabbatical in Europe, Dr. Wiley was elected to the prestigious German Chemical Society for his work studying sugar chemistry. Upon his return to the United States, Dr. Wiley continued his research in the field of sugar chemistry focusing on the adulteration of the domestic sugar industry.

In 1882, Dr. Wiley was named chief chemist at the U.S. Department of Agriculture. In this position he was known as the father of the Pure Food and Drugs Act when it became law in 1906. And he served as the first commissioner of what would later become the Food and Drug Administration from 1907 through 1912.

In 1912, Dr. Wiley took over the laboratories of Good Housekeeping magazine where he established the Good Housekeeping Seal of Approval and continued to work tirelessly on behalf of the consuming public. The designation of this Federal building is a fitting tribute to the innovative scientist and dedicated public servant. I support the bill and urge my colleagues to join in support.

Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Dr. Harvey W. Wiley, known as the Crusading Chemist and the father of the Federal Food and Drug Act, was born in a log farm house in 1844 near Kent, Indiana. After receiving his education in local schools, he attended Hanover College. And in 1841 he received his medical degree from Indiana Medical College. Following a brief assignment at Harvard University, Wiley returned to Indiana in 1874 to accept a faculty position in chemistry at the newly opened Purdue University. In 1833 he was appointed as chief chemist at the U.S. Department of Agriculture.

After 29 years at the Bureau of Chemistry, Wiley resigned to accept a position at Good Housekeeping Institute's Bureau of Food Sanitation and Health. In this position Wiley established the Good Housekeeping Seal of Approval. Dr. Wiley was a visionary and pioneer for the necessity of safe food and drug supplies and was vigilant in protecting the consumer.

His public career was dedicated to establishing and improving government regulations regarding safe food and drug processing. It is fitting that Dr. Wiley be honored with this designation at the new FDA headquarters in College Park, Maryland. I commend the gentleman from Maryland (Mr. HOYER) for introducing this bill and for his leadership in moving this bill through the legislative process.

Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Maryland (Mr. HOYER), the author of this bill.

Mr. HOYER. Madam Speaker, I thank the gentlewoman from the District of Columbia (Ms. NORTON) for yielding me time, and I thank the gentleman from Arkansas (Mr. BOOZMAN) for facilitating the movement of this bill to the floor.

I rise, of course, Madam Speaker, in strong support of the Harvey W. Wiley Federal Building Designation Act. The building which we speak of today is the Food and Drug Administration's Center for Food Safety and Applied Nutrition, located in my district in College Park, Maryland.

Harvey Washington Wiley is best known, as has been said, for his pioneering work as the chief chemist at the Bureau of Chemistry, which of course is now known as the Food and Drug Administration.

His work in the early 1900s led to the passage of the Pure Food and Drug Act. As the head of the Bureau of Chemistry, Wiley served as chief enforcer of the act, and his inspection program revolutionized the country's food supply by making it healthier and safer. Each of us every day benefits from the work of Dr. Wiley. After serving 29 years, as was observed by the gentlewoman from District of Columbia (Ms. NORTON), as the chief of the Bureau of Chemistry, he resigned and later established the Good Housekeeping Seal of Approval as the director of Good Housekeeping Institute's Bureau of Foods, Sanitation and Health, a demonstration of his lifelong commitment

to the purity of our food and our health and our safety.

The Harvey W. Wiley Building is the result of a strong commitment and partnership between the Food and Drug Administration, the General Services Administration, the State of Maryland, the city of College Park, the city council, the local community, and the University of Maryland.

The Wiley Building, which opened in October of 2001, is the first major laboratory completed as part of the Food and Drug Administration's consolidation effort. The facility holds over 950 researchers and other staff doing a critical job for our people and for our country. We depend upon them to ensure that the foods we consume and the cosmetic products we use are safe and labeled properly.

The FDA's consolidation effort has been ongoing since 1991 when Congress gave authority to the FDA to improve its dilapidated facilities and bring its workers closer together for more efficient operations. In addition to this facility, the Center for Veterinary Medicine in Beltsville was completed in 1996 and work continues on four remaining centers at White Oak. When the consolidation is finally completed, Madam Speaker, it will consolidate nearly 40 different FDA facilities scattered around the metropolitan area. This will not only improve the working conditions of employees, it will save the taxpayers literally millions of dollars in reduced lease costs.

These Federal entities in tandem with the University of Maryland's world-class academicians and researchers will creates a unique synergy in the Washington metropolitan region.

Naming the Center for Food Safety and Applied Nutrition in College Park after Harvey W. Wiley will cap off an already marvelous achievement for the FDA and GSA. There are times when we name buildings after people because perhaps they got the money for the buildings or perhaps they were luminaries in a particular jurisdiction or State or nation, but not necessarily involved with the building. This naming is as appropriate a naming as I think we have ever done because Dr. Wiley was such an integral part of developing food safety, nutritional health, and the oversight of that which is manufactured and purveyed that we either ingest or put on our bodies, that it will be safe for doing so. So I rise in strong support of this legislation. Again, I thank the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) for expediting its presentation to the House and urge its unanimous adoption.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 2911. H.R. 2911 honors Dr. Harvey W. Wiley, known as the "Father of the Food and Drug Administration ("FDA")", by designating the new state-of-the-art Center for Food Safety and Applied Nutrition in College Park, Maryland as the "Harvey W. Wiley Federal Building".

Dr. Wiley was a pioneer who advocated on behalf of the American people for a safe food and drug supply. He fought for federal protections from fraudulent drugs and unsafe foods. From 1883 until 1912, he served as Chief of the Bureau of Chemistry at the U.S. Department of Agriculture ("USDA"). As a result of his strong beliefs and unwavering efforts, the first comprehensive bill ensuring a safe food and drug supply, the Pure Food and Drug Act, was passed in 1906. This Act has served as a cornerstone for the modern Food and Drug Acts.

Harvey Washington Wiley was born near Kent, IN, in 1844. He was an honor student at Hanover College and received his medical degree from Indiana Medical College in 1871. He also earned a B.S. degree from Harvard University after only a few months of intense effort. In 1874, Dr. Wiley accepted a faculty position in chemistry at Purdue University. In 1882, he was named Chief Chemist at the USDA, a position he held for nearly 30 years.

Under his leadership and perseverance, the Bureau of Chemistry grew in both size and stature. The Bureau's staff expanded from 110 to 146 employers, and their appropriations expanded from $155,00 to nearly $1 million in 1906.

In 1912, Dr. Wiley resigned from the Bureau and began a career at the Good Housekeeping labs where he established the "Good Housekeeping Seal of Approval". He died in 1930 and is buried at Arlington National Cemetery.

This bill is a fitting tribute to Dr. Harvey W. Wiley, the Father of the FDA.

I urge my colleagues to support H.R. 2911.

Ms. NORTON. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOOZMAN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 2911.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BOOZMAN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. BOOZMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4028, H.R. 4006, H.R. 2911 and S. 378, the measures just considered by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

□ 1515

NORTH AMERICAN WETLANDS CONSERVATION REAUTHORIZATION ACT

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3908) to reauthorize the North American Wetlands Conservation Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3908

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "North American Wetlands Conservation Reauthorization Act".

SEC. 2. AMENDMENT OF NORTH AMERICAN WETLANDS CONSERVATION ACT.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the North American Wetlands Conservation Act (16 U.S.C. 4401 et. seq.).

SEC. 3. FINDINGS AND STATEMENT OF PURPOSE.

(a) FINDING.—Section 2(a)(1) (16 U.S.C. 4401(a)(1)) is amended by striking "and other habitats" and inserting "and associated habitats".

(b) PURPOSES.—Section 2(b) (16 U.S.C. 4401(b)) is amended—

(1) in paragraph (1) by striking "and other habitats for migratory birds" and inserting "and associated habitats for wetland dependent migratory birds";

(2) in paragraph (2) by inserting "wetland dependent" before "migratory bird"; and

(3) in paragraph (3)—

(A) by inserting "wetland dependent" before "migratory birds"; and

(B) by inserting ", the United States Shorebird Conservation Plan, the North American Waterbird Conservation Plan, the Partners In Flight Conservation Plans," after "North American Waterfowl Management Plan".

SEC. 4. DEFINITION OF WETLANDS CONSERVATION PROJECT.

Section 3(9) (16 U.S.C. 4402(9)) is amended—

(1) in subparagraph (A) by inserting "of a wetland ecosystem and associated habitat" after "including water rights,"; and

(2) in subparagraph (B) by striking "and other habitat" and inserting "and associated habitat".

SEC. 5. REAUTHORIZATION.

Section 7(c) (16 U.S.C. 4406(c)) is amended by striking "not to exceed" and all that follows and inserting "not to exceed—

"(1) $55,000,000 for fiscal year 2003;

"(2) $60,000,000 for fiscal year 2004;

"(3) $65,000,000 for fiscal year 2005;

"(4) $70,000,000 for fiscal year 2006; and

"(5) $75,000,000 for fiscal year 2007.".

SEC. 6. ALLOCATION.

Section 8(a) (16 U.S.C. 4407(a)) is amended—

(1) in paragraph (1)—

(A) by striking "(but at least 50 per centum and not more than 70 per centum thereof)" and inserting "(but at least 25 percent and not more than 50 percent thereof)"; and

(B) by striking "4 per centum" and inserting "4 percent"; and

(2) in paragraph (2) by striking "(but at least 30 per centum and not more than 50 per centum thereof)" and inserting "(but at least 50 percent and not more than 75 percent thereof)".

SEC. 7. CLARIFICATION OF NON-FEDERAL SHARE OF THE COST OF APPROVED WETLANDS CONSERVATION PROJECTS.

Section 8(b) (16 U.S.C. 4407(b)) is amended by striking so much as precedes the second sentence and inserting the following:

''(b) COST SHARING.—(1) Except as provided in paragraph (2), as a condition of providing assistance under this Act for any approved wetlands conservation project, the Secretary shall require that the portion of the costs of the project paid with amounts provided by non-Federal United States sources is equal to at least the amount allocated under subsection (a) that is used for the project.

''(2) Federal moneys allocated under subsection (a) may be used to pay 100 percent of the costs of such projects located on Federal lands and waters, including the acquisition of inholdings within such lands and waters.

''(3)''.

SEC. 8. TECHNICAL CORRECTIONS.

(a) The North American Wetlands Conservation Act is amended as follows:

(1) In section 2(a)(10) (16 U.S.C. 4401(a)(10)), by inserting ''of 1973'' after ''Species Act''.

(2) In section 3(2) (16 U.S.C. 4402(2)), by striking ''Committee on Merchant Marine and Fisheries of the United States House of Representatives'' and inserting ''Committee on Resources of the House of Representatives''.

(3) In section 3(5) (16 U.S.C. 4402(5)), by inserting ''of 1973'' after ''Species Act''.

(4) In section 4(a)(1)(B) (16 U.S.C. 4403(a)(1)(B)), by striking ''section 3(2)(B)'' and inserting ''section 3(g)(2)(B)''.

(5) In section 4(c) (16 U.S.C. 4403(c)), in the matter preceding paragraph (1), by striking ''Commission'' and inserting ''Council''.

(6) In section 5(a)(5) (16 U.S.C. 4404(a)(5)), by inserting ''of 1973'' after ''Species Act''.

(7) In section 5(f) (16 U.S.C. 4404(f)), by striking ''subsection (d)'' and inserting ''subsection (e)''.

(8) In section 10(1)(C) (16 U.S.C. 4409(1)(C)), by striking ''western hemisphere pursuant to section 17 of this Act'' and inserting ''Western Hemisphere pursuant to section 16''.

(9) In section 10(1)(D) (16 U.S.C. 4409(1)(D)), by striking the period and inserting ''; and''.

(10) In section 16(a) (16 U.S.C. 4413), by striking ''western hemisphere'' and inserting ''Western Hemisphere''.

(b)(1) Section 112(1) of Public Law 101–593 (104 Stat. 2962) is amended by striking ''and before the period''.

(2) Paragraph (1) of this subsection shall be effective on and after the effective date of section 112(1) of Public Law 101–593 (104 Stat. 2962).

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill, H.R. 3908, would reauthorize the tremendously successful North American Wetlands Conservation Act, NAWCA. This landmark law has been instrumental in the conservation, restoration and enhancement of wetland and upland habitat throughout the United States, Canada and Mexico.

Wetlands are among the world's most productive environments. They are critical to the survival of fish and wildlife populations and vital to the protection of water quality. Wetlands protect ground and surface water, reduce severity of floods, and provide habitat for a diverse community of plants, animals, fish and birds. In particular, millions of migratory waterfowl rely on wetlands throughout their life cycle. Wetlands also provide untold hunting and wildlife viewing opportunities for millions of Americans.

Due to their proximity to water, wetland conversion poses a constant threat. Indeed, development pressures have already eliminated more than 50 percent of our Nation's original wetlands. It is essential that we conserve our remaining wetland habitats, and that is the fundamental goal of this legislation.

NAWCA is a popular and innovative program. It has received substantial support from the Bush administration, the International Association of Fish and Wildlife Agencies, local communities and dozens of conservation groups such as Ducks Unlimited.

Instead of increasing the regulatory restrictions, this act provides funds as an incentive to conserve and enhance wetlands. Since the first wetlands grants were awarded in 1991, almost 900 projects have been funded and over 8 million acres of wetlands and associated uplands have been conserved.

In the chairman's State of Utah, a NAWCA project was responsible for acquiring over 1,100 acres for permanent protection and 15,400 acres of degraded wetlands were restored. These wetlands are invaluable not only to thousands of migratory birds but also to the sportsmen of the State of Utah.

What is most remarkable about this program is the substantial partner support that it receives each year. While the Act requires a one-to-one match, in a typical year every NAWCA dollar is matched with well over $3, and this money is contributed by a host of conservation organizations. Such support indicates the tremendous popularity of this program and recognizes that wetland conservation is a national priority.

During committee consideration, the funding levels for the program were slightly increased and greater emphasis was placed on wetland conservation projects in the United States. These are both positive improvements to the act.

I urge an aye vote on H.R. 3908.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Madam Speaker, this coming Saturday on May 11, bird conservationists across much of the Western hemisphere will celebrate International Migratory Bird Day.

Established in 1993, this second Saturday in May has been set aside this year to appreciate the nearly 350 species of migratory birds that travel between nesting habitats in North America and nonbreeding grounds in South and Central America, Mexico, and the Caribbean, including my district, the U.S. Virgin Islands.

In this respect, I find it fitting for the House to consider today legislation to reauthorize the North American Wetlands Conservation Act, or perhaps better known by its acronym, NAWCA.

Madam Speaker, wetlands are among the world's most productive environments and remain essential habitat for many migratory birds, including waterfowl.

In 1986, the United States, Canada and Mexico developed the North American Waterfowl Management Plan, which established a cooperative international management effort to reverse the declines in waterfowl populations and their habitats. Congress subsequently enacted NAWCA in 1989 to implement the habitat conservation elements of that plan.

In the intervening years, NAWCA has proven itself to be an effective funding mechanism to support a wide range of public/private conservation activities that preserve or protect wetland habitats on the landscape. Virtually every region of the United States and vital wetland habitats in Canada and Mexico have benefited from NAWCA project grants. The future looks bright.

I am pleased to report that H.R. 3908, the North American Wetlands Conservation Reauthorization Act, is a positive step towards ensuring that NAWCA remains an effective conservation tool in the years ahead. Most importantly, the increased authorizations for appropriations in H.R. 3908 will help address a significant unmet demand for NAWCA grants.

In addition, H.R. 3908 will also provide a higher level of financial support for conservation projects in the United States where the demand is greatest and where it is possible to generate the necessary non-Federal matching funds. Overall, there should be an increase in non-Federal matching funds for NAWCA grants.

Importantly, we have acted responsibly to ensure that this change in allocation will not decrease the existing level of financial grant support for our partners in Canada and Mexico.

In closing, NAWCA represents the type of conservation success story which Congress should strive to emulate in its other programs. H.R. 3908 will maintain and build on this solid record of achievement, and I urge Members to support this important environmental legislation.

Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. SIMPSON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 3908, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

SAND MOUNTAIN WILDERNESS STUDY AREA, IDAHO LAND CONVEYANCE

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2818) to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971.

The Clerk read as follows:

H.R. 2818

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LAND CONVEYANCE, SAND MOUNTAIN WILDERNESS STUDY AREA, IDAHO.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Secretary of the Interior may convey to the owner of the Sand Hills Resort in the State of Idaho (in this section referred to as the ''Sand Hills Resort''), all right, title, and interest of the United States in and to a parcel of land consisting of approximately 10.23 acres of public land in the Sand Mountain Wilderness Study Area (#ID 35–3) of the Bureau of Land Management in the State of Idaho, as more fully described in subsection (b).

(b) DESCRIPTION OF LAND.—The public land to be conveyed under subsection (a) is lot 8 in section 19, township 8 north, range 40 east, Boise meridian, Idaho.

(c) CONSIDERATION.—As consideration for the conveyance of the land under subsection (a), the Sand Hills Resort shall pay to the Secretary an amount equal to the fair market value of the land, as valued by qualified land appraisal.

(d) EXEMPTION FROM INTERIM MANAGEMENT POLICY.—To facilitate the conveyance authorized by subsection (a), the land to be conveyed is exempt from all requirements of the Interim Management Policy for Lands Under Wilderness Review of the Bureau of Land Management.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2818 is a simple, straightforward bill that would convey approximately 10.23 acres of public land located within the Bureau of Land Management Sand Mountain Wilderness Study Area, located near St. Anthony in southeast Idaho, to the owner of the Sand Hills Resort. The Sand Hills Resort will pay fair market value for the land as valued by an appraisal.

In 1971, Mr. Williams, the current owner of the Sand Hills Resort, purchased the 5-acre resort and existing developments and over the ensuing 31 years has added numerous improvements to the property. The resort is a gateway to the St. Anthony Sand Dunes, a popular recreational area in southeast Idaho. Unfortunately, the 5-acre resort and a small strip of land containing roads, camping sites and power lines was inadvertently included in BLM's Sand Mountain Wilderness Study Area boundary, which was established in 1981.

Mr. Williams successfully operated the resort until the early 1990s, when the BLM began to question the location of the resort and several facilities located on the resort. In 1995, a survey was initiated confirming that the majority of the resort's facilities, including a portion of Mr. Williams' house, were encroaching on public land. Since June of 1998, the resort has operated under a Special Land Use Permit, which temporarily authorizes Mr. Williams' use of the public land in question and allows the BLM to collect a fair market rent.

In June of 1997, the BLM began working to sell Mr. Williams 10 acres of land in order to resolve the encroachment issue. In September of 1997, the BLM published A Notice of Intent to Prepare a Land Use Plan Amendment, the first step in the process that would have adjusted the boundary of the Sand Mountain Wilderness Study Area and allowed the BLM to sell approximately 10 acres to the Sand Hills Resort. Unfortunately, the local BLM office was not able to move forward with the plan amendment due to concerns that the proposed sale violated the BLM's Interim Management Policy for Wilderness Study Area Management.

Until the encroachment issue is resolved, Mr. Williams cannot gain clear title to his property, preventing him from obtaining a loan against the property or making improvements to the property. Furthermore, this prevents Mr. Williams or his family from selling the resort, placing an undue financial hardship on Mr. Williams and his family.

H.R. 2818 is a win-win solution to this longstanding issue. The Resources Committee and the administration support it, and I urge my colleagues to support this bipartisan, common sense legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I might consume.

The problem this bill is intended to address is the result of two different but related mistakes. The first mistake was to include this small parcel of private property within the boundaries of a Wilderness Study Area. The second was the encroachment onto Federal lands by the Sand Hills Resort. The Bureau of Land Management might have resolved the encroachment administratively had the area not been within a Wilderness Study Area. Thus, the two mistakes compounded each other.

Clearly, the sale of part of a WSA raises serious concerns. We would strongly oppose any legislation authorizing such a sale to a landowner who had purposely trespassed on Federal land as a means of eventually acquiring property that might not otherwise have been available for disposal.

Unfortunately, determining precisely what this landowner knew or should have known and when he knew or should have known it would require an investigation of events that transpired more than 30 years ago. Further, it appears the property lines in this area of shifting sand dunes have only recently been established conclusively, and a certain amount of confusion is not surprising.

Therefore, allowing this landowner to purchase a small parcel for fair market value seems a reasonable solution to a difficult problem, and therefore we will not oppose H.R. 2818.

Madam Speaker, I have no further speakers on this bill, and I yield back the balance of my time.

Mr. SIMPSON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 2818.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CARIBBEAN NATIONAL FOREST WILD AND SCENIC RIVERS ACT OF 2002

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3954) to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3954

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Caribbean National Forest Wild and Scenic Rivers Act of 2002''.

SEC. 2. WILD AND SCENIC RIVER DESIGNATIONS, CARIBBEAN NATIONAL FOREST, PUERTO RICO.

(a) FINDINGS.—The Congress finds the following:

(1) In the revised land and resource management plan for the Caribbean National Forest/Luquillo Experimental Forest, approved April 17, 1997, and the environmental impact statement prepared as part of the plan, the Secretary of Agriculture examined the suitability of rivers within the Caribbean National Forest/Luquillo Experimental Forest for inclusion in the National Wild and Scenic Rivers System.

(2) Based on such examination, the Rio Icacos, Rio Mameyes, and Rio de La Mina were found to be free flowing waterways and to possess outstandingly remarkable scenic, recreational, geological, hydrological, biological, historical, and cultural values, and, therefore,

to qualify for addition to the National Wild and Scenic Rivers System.

(b) DESIGNATIONS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

''(____) RIVERS OF CARIBBEAN NATIONAL FOREST, PUERTO RICO.—

''(A) RIO MAMEYES.—The segment of approximately 4.5 miles from its headwaters in the Baño de Oro Research Natural Area to the boundary of the Caribbean National Forest, to be administered by the Secretary of Agriculture as follows:

''(i) As a wild river from its headwaters in the Baño de Oro Research Natural Area to the crossing point of Trail No. 24/11 (approximately 500 feet upstream from the confluence with the Rio de La Mina), a total of approximately 2.1 miles.

''(ii) As a scenic river from the crossing point of Trail No. 24/11 to the access point of Trail No. 7, a total of approximately 1.4 miles.

''(iii) As a recreational river from the access point of Trail No. 7 to the national forest boundary, a total of approximately 1.0 miles.

''(B) RIO DE LA MINA.—The segment of approximately 2.1 miles from its headwaters to its confluence with the Rio Mameyes, to be administered by the Secretary of Agriculture as follows:

''(i) As a recreational river from its headwaters in the El Yunque Recreation Area downstream to La Mina Falls, a total of approximately 0.9 miles.

''(ii) As a scenic river from La Mina falls downstream to its confluence with the Rio Mameyes, a total of approximately 1.2 miles.

''(C) RIO ICACOS.—The segment of approximately 2.3 miles from its headwaters to the boundary of the Caribbean National Forest, to be administered by the Secretary of Agriculture as a scenic river.''.

(c) SPECIAL MANAGEMENT CONSIDERATIONS.—

(1) CERTAIN PERMITTED ACTIVITIES.—Subject to paragraph (2), the amendment made by the subsection (b) and the applicability of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) to the river segments added to the National Wild and Scenic Rivers System by the amendment shall not be construed to prevent any of the following activities within the boundaries of the river segments:

(A) Installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and transmission facilities, or any combination of such facilities, when the Secretary of Agriculture determines that such facilities are essential to the scientific research purposes of the Luquillo Experimental Forest.

(B) Construction and maintenance of nesting structures, observation blinds, and population monitoring platforms for threatened and endangered species.

(C) Construction and maintenance of trails to such facilities as necessary for research purposes and for the recovery of threatened and endangered species.

(2) CONDITIONS.—The activities authorized by paragraph (1) shall be subject to such conditions as the Secretary considers desirable. The Secretary shall ensure that the scale and scope of such activities within the boundaries of a river segment added to the National Wild and Scenic Rivers System by the amendment made by the subsection (b) are not detrimental to the characteristics of the river segment that merited its designation as a wild, scenic, or recreational river.

(d) PRESERVATION OF COMMONWEALTH AUTHORITY.—Nothing in this section or the amendment made by this section shall be construed to limit the authority of the Commonwealth of Puerto Rico over waters and natural channels of public domain pursuant to the laws of the Commonwealth of Puerto Rico.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, Resident Commissioner ACEVEDO-VILÁ introduced and amended H.R. 3954, the Caribbean National Forest Wild and Scenic Rivers Act of 2002. The purpose of this Act is to designate three rivers within the Caribbean National Forest as Wild and Scenic Rivers.

These three rivers were recommended for wild and scenic designation in the Revised Land and Resource Management Plan for the Caribbean National Forest. This act is supported by the Committee on Resources and the administration. I urge my colleagues to favorably support this legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Madam Speaker, the Caribbean National Forest Wildlife and Scenic Rivers Act of 2002 was introduced by the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ), my friend and the distinguished Representative of the Commonwealth of Puerto Rico, on March 13, 2002.

The bill would designate approximately 9.9 miles of three rivers, Rio Mameyes, Rio De La Mina, and Rio Icacos, within the Caribbean National Forest in Puerto Rico as components of the National Wild and Scenic River System. The Forest Service found these river segments eligible and suitable for designation as National Wild and Scenic River in a study completed in 1997.

The administration supports this bill, and I want to congratulate my colleague, the Resident Commissioner of Puerto Rico, for his efforts and hard work on this bill, and I urge its adoption.

Madam Speaker, I reserve the balance of my time.

□ 1530

Mr. SIMPSON. Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as he may consume to the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ, the Resident Commissioner of Puerto Rico.

(Mr. (Mr. ACEVEDO-VILÁ) asked and was given permission to revise and extend his remarks.)

Mr. ACEVEDO-VILÁ. Madam Speaker, I introduced H.R. 3954 to provide maximum protection for three extraordinary rivers that run through the tropical forest lands of the Caribbean National Forest known in Puerto Rico as El Yunque. By further protecting the Rio Mayemes, the Rio Icacos, and the Rio de la Mina, Puerto Ricans and visitors to the Commonwealth would be able to enjoy these wonderful rivers in their free-flowing natural state for generations to come. These rivers have outstanding characteristics, including wonderful waterfalls, inviting pools, and large boulders. They also provide critical habitat for endangered species and sensitive tropical plant species.

It is the intent of the Wild and Scenic Rivers Act of 1968 to preserve rivers and sections thereof, to protect the water quality of such rivers, and to fulfill other vital conservation purposes. This legislation will protect three rivers in El Yunque from every possible encroachment, including the urban interface, development and business interests, and pollution. Wild and scenic designation will provide maximum protection for these beautiful rivers that make up a significant part of the experience of visiting El Yunque.

I want to thank the chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN), the ranking member, the gentleman from West Virginia (Mr. RAHALL), and all my colleagues on the committee for supporting this bill. I ask for my colleagues' support of the Caribbean Wild and Scenic Rivers Act of 2002, and invite them to visit El Yunque upon their next visit to Puerto Rico. It is the only tropical rain forest within the national forest system and the only managed rain forest in the world. So the next time my colleagues visit Puerto Rico, I invite them to go, and I urge all my colleagues to vote in favor of this bill.

Madam Speaker, first I want to thank Chairman HANSEN, Ranking Member RAHALL, Subcommittee Chairman MCINNIS, Subcommittee Ranking Member INSLEE and all of my colleagues on the Resources Committee who have supported this laudable legislation.

I am proud that the House will consider H.R. 3954—The Caribbean National Forest Wild and Scenic Rivers Act of 2002. Should you not yet be familiar, I encourage you to visit El Yunque upon your next visit to Puerto Rico. I am sure you will agree that El Yunque, the only tropical rain forest within the U.S. National Forest System, is a natural wonder and unique, resource that we must preserve, and protect forever. El Yunque is the only managed rain forest on earth, and with this distinction comes heightened responsibility in my opinion, to fully protect this important resource. The enactment of this bill, along with the wilderness legislation (H.R. 3955) approved by the Committee last month, will help ensure that the natural integrity of El Yunque is preserved for the 1 million annual visitors to the CNF for generations to come.

H.R. 3954 would preserve and protect three rivers that flow within the boundaries of El Yunque. It is the intent of the Wild and Scenic Rivers Act of 1968 to preserve rivers and sections thereof to protect the water quality of such rivers and to fulfill other vital national conservation purposes. It is within this intent that I have introduced this bill, and I am fully committed to the preservation of these beautiful rivers. While there are additional rivers

within El Yunque that have received wild and scenic designation recommendations, the areas of these rivers are covered under H.R. 3955 through wilderness designation, or are within the existing Baño de Oro Natural Area. Therefore, I have followed recommendations to focus on rivers running outside of the proposed El Toro wilderness Area and outside of existing natural areas.

The three rivers that would be designated under this act were all recommended for inclusion under the National Wild and Scenic Rivers System by the revised land and resource management plan for the CNF, approved April 17, 1997. This management plan was the basis for the introduction of this bill, and I ask for your support during its consideration.

The three rivers include the Rio Mameyes, the Rio Icacos, and the Rio de La Mina. All three have outstanding characteristics and make up an integral part of the experience when visiting the forest.

The Rio Mameyes offers outstanding scenic, biological and recreational values to visitors. It flows over large boulders and numerous waterfalls, forming enjoyable pools. Trails run along gorges that descend through the forest. The water quality along the upper segment is optimum, with no interference from human encroachment.

The Rio Mameyes provides important habitat for the Puerto Rican Parrot and Puerto Rican Boa, both endangered species. Furthermore, the endangered Broad-winged and Sharp-shinned Hawks, and the threatened Peregrine Falcon, are also known to use this area. The Mameyes system enjoys the highest natural aquatic diversity and species richness of any forest watershed. The Mameyes remains the only uninterrupted, free flowing river in Puerto Rico.

The Rio de la Mina is judged as eligible based on its outstanding scenic, recreation, biological and historic values. Like the Mameyes, the Rio de La Mina descends over boulders and waterfalls, forming rapids and pools. Trails parallel the river and provide for numerous recreation areas. The most spectacular waterfalls in the forest exist along the Rio de la Mina. These falls, known as La Mina Falls, play an important role in promoting Puerto Rico as a prime vacation destination. The water quality is good within the proposed designation area. The Rio de la Mina also provides habitat for endangered animal and plant species.

The Rio Icacos is judged as eligible based on its outstanding scenic, historic, cultural and ecological values. The Rio Icacos has some of the most varied terrain of any of El Yunque's rivers. Near the headwaters, the gradient is less steep than further downstream where it also descends over boulders and waterfalls. In the upper section, the streambed exhibits a unique sandy bed due to its origin in the upper, flatter section. The palm forest is very striking along the bank, more so than in any other area of the forest. Water quality is high within the proposed designation area. Endangered animal and plant species are present within the proposed area.

With your support, these wild and scenic river designations in El Yunque can become a reality this year. Please let me know when and if you will visit the Caribbean National Forest. Puerto Ricans take great pride in El Yunque, and I assure you it is worth the trip to visit.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume to once again commend the gentleman from Puerto Rico for his hard work on this bill.

Madam Speaker, I yield back the balance of my time.

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume to also commend the gentleman from Puerto Rico.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 3954, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SIMPSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the three bills just considered, H.R. 3908, H.R. 2818, and H.R. 3954.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

EXPRESSING REGRET AND SYMPATHY FOR FAMILIES OF CANADIAN SOLDIERS WHO LOST THEIR LIVES IN SOUTHERN AFGHANISTAN

Mr. HOUGHTON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 412) expressing regret and sympathy for the families of the 4 Canadian soldiers who lost their lives on April 17, 2002, in a friendly-fire incident in southern Afghanistan.

The Clerk read as follows:

H. RES. 412

Whereas since the terrorist attacks on the United States on September 11, 2001, the Government and people of Canada have offered their steadfast support to the United States in the international war against terrorism;

Whereas this support is in defense of the values that define and unite the United States and Canada;

Whereas the Government of Canada has also provided significant military support to the international war against terrorism, first deploying troops to Afghanistan in October 2001;

Whereas on January 7, 2002, the Government of Canada announced it would be sending an additional 750 troops to Afghanistan from the 3rd Battalion of the Princess Patricia's Canadian Light Infantry Battle Group to support the coalition against terrorism;

Whereas on April 17, 2002, 4 Canadian soldiers from that battalion were killed and 8 others were wounded in a friendly-fire incident in southern Afghanistan;

Whereas the Canadian soldiers who lost their lives were Sergeant Marc D. Leger of Lancaster, Ontario, Corporal Ainsworth Dyer of Montreal, Quebec, Private Richard A. Green of Edmonton, Alberta, and Private Nathan Smith of Tatamagouche, Nova Scotia;

Whereas the people of the United States value the friendship and goodwill of the people of Canada; and

Whereas President Bush has offered his sorrow and sympathy to the Government and people of Canada for this tragedy: Now, therefore, be it

Resolved, That the House of Representatives—

(1) praises the performance and heroism of Canadian soldiers;

(2) extends its regret and sympathy to the families of the 4 Canadian soldiers who lost their lives and others who suffered injury on April 17, 2002, in a friendly-fire incident in southern Afghanistan, and to the Government and people of Canada for their loss; and

(3) reaffirms the Nation's appreciation for Canada's strong support and commitment to the war against terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. HOUGHTON) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. HOUGHTON).

GENERAL LEAVE

Mr. HOUGHTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 412.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOUGHTON. Madam Speaker, I yield myself such time as I may consume.

I would like to talk a little bit informally, Madam Speaker, about the situation which has affected us all, and I know that the gentleman from California (Mr. LANTOS) will be doing the same thing, and I am delighted to be associated with my friend, the gentleman from California (Mr. LANTOS).

As we all know, on April 17, four Canadian soldiers were killed and eight Canadian soldiers were wounded by an American bomb that was mistakenly dropped on a Canadian training exercise near Kandahar in Afghanistan. I would like to read the names of the Canadian soldiers who are from the Third Battalion, the Princess Pat's Canadian Light Infantry Battle Group.

Before I read those names, I would like to just say that I grew up on stories of the Princess Pat's Regiment. It was a famous regiment. A great older friend of mine was in it in World War I and described some of the great battles that went on. So it is a very, very distinguished group.

The names of the soldiers are Sergeant Marc D. Leger of Lancaster Ontario; Corporal Ainsworth Dyer of Montreal, Quebec; Private Richard A. Green of Edmonton, Alberta; and Private Nathan Smith of Tatamagouche, Nova Scotia.

Now, as many of us know, these soldiers had been in Afghanistan since

late January as part of Operation Apollo, which was Canada's military complement to the campaign against terrorism. The casualties were especially difficult for the Canadian people as well as ourselves not only because of the circumstances surrounding the incident but because these are the first Canadian soldiers killed since the Korean War.

President Bush expressed his deepest sorrow and sympathy to the families and to the people of Canada both in a letter to Prime Minister Chretien and several times in public, and the Senate has also passed a similar resolution.

There is an investigation underway to determine the exact circumstances of the incident in Afghanistan. This, sadly, will not bring the soldiers back, but it is something we want to know. And we are doing this really to let Canada understand that we are deeply sorry for their loss and we do not want anything to get in the way of our historical friendship and alliance.

It is awfully difficult, because many times in pursuing a war or pursuing some sort of activity for the national good, you hurt your friends, you hurt yourself. And how do you say you are sorry? This is one of the ways of trying to express our sorrow and our association with people.

Canada has always been there for us in times of trouble. For example, after September 11, I remember going down to New York City when Senator Jerry Grafstein organized 25,000 Canadians in New York to express their solidarity with the United States. It was a wonderful, moving time. The fire department and the police department of New York and Toronto, Mayor Guiliani, Prime Minister Chretien were there, and it was the type of thing that you would like to see of a friend. So this incident with the four Canadian soldiers makes it even more difficult for us.

I always remember during those difficult days with the Iran hostages, the Canadians were always there with us; made heroic feats in trying to save some of the American citizens.

In a week, some of us are going to go to Rhode Island and meet with the Canadians on our usual American-Canadian session where we exchange ideas and issues and problems and opportunities, and we will have a chance personally to be able to express, as some of us have already done on the phone, to our Canadian friends. But it just seemed to some of us that it was important that here in the well of the House, officially, to tell our Canadian friends how terribly, terribly sorry we are.

What are we all striving for? What are we doing? What is our search for fairness and for decency and for peace? We are all trying to make a difference. Those people who died made the supreme difference, and we are just honored to know that they are citizens and their families are citizens of this great North American Continent, and we would like to express our condolences and our feelings to those families.

Madam Speaker, I would now like to add my voice to the many others who have also expressed their sentiments.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume, and I rise in strong support of H. Res. 412.

Madam Speaker, I would like to commend first the gentleman from Illinois (Mr. HYDE) for expediting consideration of this important measure, and I want to applaud the efforts of my dear friend and colleague, the gentleman from New York (Mr. HOUGHTON), who for many years has worked tirelessly to build and maintain the strong bonds that unite the United States and Canada.

Madam Speaker, in World War II, Canadian troops fought side by side with American soldiers to defeat fascism in Nazi Germany. During the Korean War, Canadian volunteers joined United Nations forces to help protect South Korea from communism. Last year, Canada once again sent its finest sons and daughters into harm's way, this time to combat international terrorism in Afghanistan.

Since the beginning of the year, approximately 800 Canadian troops have helped secure Kandahar and protected relief operations in that entire area. Unfortunately, as we all know, a terrible accident occurred recently. In the early morning of April 17, an American F–16 pilot accidentally dropped a laser-guided bomb on Canadian troops who were conducting combat exercises in a designated training area near their base south of Kandahar.

Sergeant Marc Legere, Corporal Ainsworth Dyer, Private Richard Green and Private Nathan Smith perished in that accident. Eight other brave Canadian soldiers were wounded in the explosion.

Madam Speaker, on behalf of all of us on this side, I wish to extend our heartfelt condolences to the families and loved ones of these wonderful Canadian soldiers. We also want to express our deepest sympathies to a grieving nation.

Although we will have to await the findings of the ongoing investigations to learn how this terrible tragedy occurred and what can be done to prevent its recurrence, several points are already clear. The United States and Canada and our respective peoples continue to enjoy what is one of the most powerful, unwavering friendships that spans generations and can withstand even the most challenging tribulations.

As a result, our two great nations stand together in their eternal commitment to defend freedom, democracy, the right of civilized societies to live in peace and security; a right that in the 21st century is being threatened by global terrorism. In the fight against global terrorism, Canada, as always, is shouldering a heavy burden and making major sacrifices. We all appreciate this enormous contribution and we will never forget it.

Madam Speaker, with Canada's continued help, and the assistance of our other friends and allies, I am fully confident that we will vanquish the scourge of terrorism forever. I invite all of my colleagues to join me in a salute to the 12 heroes of Canada by voting in favor of this resolution.

Madam Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. LAFALCE), my good friend, the ranking Democratic member on the Committee on Financial Services.

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LAFALCE. Madam Speaker, I have the great honor of representing Niagara Falls, New York, and about 60 seconds across the Rainbow Bridge, the Lewiston-Queenston Bridge and the Whirlpool Bridge stands Niagara Falls, Ontario and Queenston, Ontario. I have the great honor of representing the City of Buffalo, and across the Peace Bridge stands Fort Erie, Ontario.

Between the Americans that abut the Canadian border and the Canadians that abut the American border, there is a common and virtually universal feeling of brotherhood and sisterhood.

□ 1545

We feel as if the Canadians are our brothers and sisters, and I think most Canadians feel as if we are their brothers and sisters. This has been shown countless ways and countless times throughout our history; but I do not think that it was ever shown more than on September 11, because when we wept in Buffalo and Niagra Falls, they wept just as much in Fort Erie and Niagara Falls, Canada, because when we were attacked, they felt they were attacked. When our brothers and sisters were killed, they believed that their brothers and sisters were killed.

Madam Speaker, they acted as brothers and sisters did. They took our planes and took our people, and they enlisted in the fight and combat against terrorism wherever and whenever they could, in greater percentage numbers than we have participated, in all candor, including in the fields of Afghanistan.

I guess the only thing that is worse than seeing a brother or sister killed is when we, by inadvertence, are responsible for it. No words could express our sorrow, but we must make that effort. On behalf of all of the people of my district, and through this resolution on behalf of every single American, we say to every single Canadian, we are so, so sorry.

Ms. SLAUGHTER. Madam Speaker, I rise today to express my humblest condolences to our Canadian neighbors on the deaths of four Canadian soldiers who died on April 17, 2002.

The people of Canada and their Government have offered their stalwart support to our country in the international war against terrorism. We are indebted to the Canadian people and wish to express our deepest gratitude for their efforts.

On April 17, four Canadian soldiers from the 3rd Battalion of the Princess Patricia's Canadian Light Infantry Battle Group were killed and eight others were wounded in a ''friendly-fire'' incident in southern Afghanistan when they were mistakenly fired upon by American troops. These Canadian soldiers made the supreme sacrifice in defense of liberty and democracy.

Americans are deeply grateful for Canada's staunch support and firm commitment to the war against terrorism. The friendship of the Canadian people has helped America through her own dark hours. I hope that our friendship and support will help the people of Canada through this dreadful event.

We should do all we can to improve the safety of coalition troops in Afghanistan. I strongly favor the conduct of a thorough and timely investigation to determine how this terrible accident occurred in Afghanistan. Casualties due to friendly fire have been called the ''unfortunate part of war.'' We should do whatever it takes to prevent these tragedies and to eliminate this most unfortunate part of war. Even though war is always unpredictable, Canadians and Americans want to know what the exact circumstances were that led to the deaths of these capable and brave soldiers, so other incidents like this one can be averted in the future.

I extend my condolences to the victims' families in Canada, and I express my support to Canadians in this difficult time. I offer my sorrow and sympathy to the Government and people of Canada for this shocking tragedy and truly regret the events that led to the deaths of these fine men.

Mr. BEREUTER. Madam Speaker, this Member rises to express his support for H. Res. 412, a bill expressing the House's regret and sympathy to the families of the four Canadian soldiers who lost their lives and the eight Canadian soldiers who were wounded on April 17, 2002, in a ''friendly-fire'' mistake in southern Afghanistan. Additionally, this Member would like to express his appreciation for the efforts of the very distinguished gentleman from New York (Mr. HOUGHTON) in drafting this legislation.

Madam Speaker, Canada is a steadfast ally and true friend of the United States. In October 2001, less than one month after the horrific and unspeakable terrorist attacks of September 11th, Ottawa, Canada, served as the host city for the fall meetings of the North Atlantic Treaty Organization Parliamentary Assembly (NATO PA). As leader of the House Delegation to the NATO PA, this Member was very grateful for the unwavering support offered by the Canadian parliamentarians to the U.S. for the war on terrorism. Despite their recognition of the dangers involved in sending their armed forces to assist with the war, the Canadians were the strongest supporters of the assembly's endorsement of the use of force against the terrorists and were willing to contribute troops for missions in Afghanistan.

Indeed, the loss of four Canadian soldiers who were killed by a bomb from an American F–16 aircraft in a friendly-fire mistake is a tragic loss which the U.S. and Canada, as steadfast neighbors and true allies, mourn together. Last week, this Member and many of his colleagues were able to express their personal condolences to the Honorable Peter Milliken, the Speaker of the House of Commons of Canada. It is fitting that this body, through this resolution, expresses its condolences to the families of the Canadian families who lost their loved ones in the tragic incident.

Madam Speaker, this Member encourages his colleagues to vote for H. Res. 412.

Mr. HYDE. Madam Speaker, I rise today in support of H. Res. 412 of offer my deepest condolences to all Canadians, especially the families and friends of Sergeant Marc D. Leger, Corporal Ainsworth Dyer, Private Richard A. Green, and Private Nathan Smith, who gave their lives in the service of defending freedom and security in Operation Enduring Freedom on April 17, 2002, in Afghanistan.

Eight other servicemen were also wounded in this incident. This tragic accident reminds us that our coalition partners remain willing to send their men and women in uniform in harm's way so that our freedoms may prevail. These Canadians have made the ultimate sacrifice on behalf of all peace-loving people, and my prayers are with their families and loved ones during this difficult time.

After America was so brutally attacked, I addressed the House of Representatives during consideration of H.J. Res. 61, which expressed the sense of the House of Representatives and Senate regarding the assault. I quoted Winston Churchill, whose words are just as salient today as they were then. He wrote, ''Civilization will not last, freedom will not survive, peace will not be kept, unless a very large majority of mankind unite together to defend them.''

Canada has always been our country's closest ally and friend. Since the terrorist attacks on September 11th, she has offered her steadfast loyalty and support in defense of the values that define and unite us. Canada's leadership during this trying time is invaluable to the American people. We will continue our common defense in unity to defeat the enemy who wishes to destroy freedom.

May God bless Canada and her fallen soldiers who served her with such courage and dignity. We indeed are a safer Nation because of these soldiers and those who continue to serve in our Nations' Armed Forces.

I want to commend my colleague from New York, Mr. HOUGHTON, for this important expression of sympathy. I urge my colleagues to support this passage. Canada shall remain our closest ally and friend.

Mr. LANTOS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HOUGHTON. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from New York (Mr. HOUGHTON) that the House suspend the rules and agree to the resolution, H. Res. 412.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107–209)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I am providing herewith a 6-month periodic report prepared by my administration on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 7, 2002*.

COMMUNICATION FROM CHAIRMAN, COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following communication from the Honorable W.J. ''BILLY'' TAUZIN, Chairman, Committee on Energy and Commerce.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 3, 2002.

Hon. J. DENNIS HASTERT,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House, that I have determined that a subpoena for documents issued from the United States District Court for the Southern District of Texas to the Committee on Energy and Commerce is not consistent with the privileges and rights of the House. Accordingly, I have instructed the Office of General Counsel to move to quash the subpoena.

Sincerely,

W.J. ''BILLY'' TAUZIN,
Chairman.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 3 o'clock and 50 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1700

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 5 p.m.

AUCTION REFORM ACT OF 2002

Mr. UPTON. Madam Speaker, I move to suspend the rules and pass the bill

(H.R. 4560) to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting, as amended.

The Clerk read as follows:

H.R. 4560

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Auction Reform Act of 2002''.

SEC. 2. FINDINGS.

The Congress finds the following:

(1) Circumstances in the telecommunications market have changed dramatically since the auctioning of spectrum in the 700 megahertz band was originally mandated by Congress in 1997, raising serious questions as to whether the original deadlines, or the subsequent revision of the deadlines, are consistent with sound telecommunications policy and spectrum management principles.

(2) No comprehensive plan yet exists for allocating additional spectrum for third-generation wireless and other advanced communications services. The Federal Communications Commission should have the flexibility to auction frequencies in the 700 megahertz band for such purposes.

(3) The study being conducted by the National Telecommunications and Information Administration in consultation with the Department of Defense to determine whether the Department of Defense can share or relinquish additional spectrum for third-generation wireless and other advanced communications services will not be completed until after the June 19th auction date for the upper 700 megahertz band, and long after the applications must be filed to participate in the auction, thereby creating further uncertainty as to whether the frequencies in the 700 megahertz band will be put to their highest and best use for the benefit of consumers.

(4) The Federal Communications Commission is also in the process of determining how to resolve the interference problems that exist in the 800 megahertz band, especially for public safety. One option being considered for the 800 megahertz band would involve the 700 megahertz band. The Commission should not hold the 700 megahertz auction before the 800 megahertz interference issues are resolved or a tenable plan has been conceived.

(5) The 700 megahertz band is currently occupied by television broadcasters, and will be so until the transfer to digital television is completed. This situation creates a tremendous amount of uncertainty concerning when the spectrum will be available and reduces the value placed on the spectrum by potential bidders. The encumbrance of the 700 megahertz band reduces both the amount of money that the auction would be likely to produce and the probability that the spectrum would be purchased by the entities that valued the spectrum the most and would put the spectrum to its most productive use.

(6) The Commission's rules governing voluntary mechanisms for vacating the 700 megahertz band by broadcast stations—

(A) produced no certainty that the band would be available for advanced mobile communications services, public safety operations, or other wireless services any earlier than the existing statutory framework provides; and

(B) should advance the transition of digital television and must not result in the unjust enrichment of any incumbent licensee.

SEC. 3. REPEAL OF DEADLINES FOR SPECTRUM AUCTIONS.

(a) COMMUNICATIONS ACT OF 1934.—Section 309(j)(14)(C)(ii) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)(C)(ii)) is amended by striking the second sentence.

(b) BALANCED BUDGET ACT OF 1997.—Section 3007 of the Balanced Budget Act of 1997 (111 Stat. 269) is amended by adding at the end the following new sentence: ''This section shall not apply to the band of frequencies between 698 and 806 megahertz, inclusive.''.

(c) CONSOLIDATED APPROPRIATIONS ACT.—Paragraphs (2) and (3) of section 213(a) of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of an Act making consolidated appropriations for the fiscal year ending September 30, 2000, and for other purposes (Public Law 106–113; 113 Stat. 1501A–295), are repealed.

SEC. 4. TERMINATION OF SCHEDULED AUCTIONS.

(a) TERMINATION.—The Federal Communications Commission shall not commence or conduct auctions 31 and 44 on June 19, 2002, as specified in the public notices of March 19, 2002, and March 20, 2002 (DA 02–659 and DA 02–563).

(b) REPORT.—Within one year after the date of enactment of this Act, the Commission shall submit a report to the Congress—

(1) specifying when the Commission intends to reschedule auctions 31 and 44; and

(2) describing the progress made by the Commission in the digital television transition and in the assignment and allocation of additional spectrum for advanced mobile communications services that warrants the scheduling of such auctions.

SEC. 5. COMPLIANCE WITH AUCTION AUTHORITY.

The Federal Communications Commission shall conduct rescheduled auctions 31 and 44 prior to the expiration of the auction authority under section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)).

SEC. 6. PRESERVATION OF BROADCASTER OBLIGATIONS.

Nothing in this Act shall be construed to relieve television broadcast station licensees of the obligation to complete the digital television service conversion as required by section 309(j)(14) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

GENERAL LEAVE

Mr. UPTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Madam Speaker, I yield myself such time as I may consume.

The Auction Reform Act of 2002 will eliminate the statutory deadlines that have prompted the FCC to schedule auctions in June for spectrum in the 700 megahertz band currently occupied by television broadcasters.

This legislation should not be necessary to stop the FCC from conducting the auctions in June. The FCC currently has the authority to delay these auctions and should do so on its own, many of us believe, but in addition to asking the FCC to use its own authority to delay the auctions, 52 members of the Committee on Energy and Commerce introduced this legislation to remove the deadlines from the statutes. Madam Speaker, I am delighted to report that the bill was passed by voice vote by the Committee on Energy and Commerce just last week.

It is true that the auction of the upper portion of the 700 megahertz band has been delayed five times, but, Madam Speaker, conducting the auctions for both the upper and lower parts of the 700 megahertz band in June would be bad telecommunications policy and bad spectrum policy. These auctions should not go forward.

Let me address some of the reasons why these auctions should not take place.

One, no comprehensive plan exists for allocating additional spectrum for third generation wireless and other advanced mobile communications services. The 700 megahertz band may prove to be the commercial mobile wireless commercial industry's only viable option for obtaining additional spectrum for advanced mobile communications services if spectrum from other bands below 3 gigahertz is not allocated for such purposes.

Two, the study being conducted by the National Telecommunications and Information Administration, NTIA, and the Pentagon to determine whether the Pentagon can share or relinquish additional spectrum for third generation wireless and other advanced mobile communications services will not be completed until after the June 19 auction date for the upper 700 megahertz band and long after the applications must be filed to participate in the auction.

Third, it is difficult for wireless carriers to make sound business decisions concerning what options are available for spectrum for third generation and other advanced mobile communications services until the NTIA/Pentagon report has been released and then evaluated.

Fourth, the Commission is also in the process of determining how to resolve the interference problems that exist in the 800 megahertz band, especially for public safety. One option being considered for the 800 megahertz band would involve the 700 megahertz band. The Commission should not hold the 700 megahertz auction before the 800 megahertz interference issues are resolved or a viable plan has been approved.

Next, the 700 megahertz band is still occupied by TV broadcasters and will be so until the digital transition is complete. This situation creates a tremendous amount of uncertainty concerning when the spectrum will be available and reduces the value placed on the spectrum by potential bidders. The encumbrance of the 700 megahertz band reduces both the amount of money that the auction would be likely to produce and the probability that the

spectrum would be purchased by the entities that valued the spectrum the most and would put the spectrum to its most productive use.

Last, Madam Speaker, the Commission's rules governing voluntary mechanisms for the vacation of the 700 megahertz band by the broadcasters produced no certainty that the band would be available for advanced mobile communications services, public safety operations and other purposes any earlier than the existing statutory framework provides.

Madam Speaker, the FCC and the administration clearly have a lot of work to do with respect to allocating and assigning additional spectrum for advanced mobile communications services and with respect to speeding the transition to digital TV. Until more progress is made in these areas, the 700 megahertz band auction simply should not occur.

The FCC should use its own authority to delay these auctions, and we are making clear that holding the auctions within the FCC's designated time frame is contrary to both sound regulatory policy and contrary to the Communications Act.

Madam Speaker, I reserve the balance of my time.

Mr. MARKEY. Madam Speaker, I yield myself as much time as I may consume.

I do so in order to compliment the gentleman from Michigan (Mr. UPTON) for his excellent work on this legislation, along with the gentleman from Louisiana (Mr. TAUZIN), the chairman, and the gentleman from Michigan (Mr. DINGELL), the ranking member.

This legislation has very broad based support across party lines, across ideological lines. It is a critical piece of legislation to pass.

Madam Speaker, the reason that we are here today is to take action to correct a mess that Congress created in 1997, when Congress and the Clinton administration used illusory spectrum revenues to cook the books when it enacted the flawed 1997 Balanced Budget Act. Simply put, the Clinton OMB and Congressional budget scorekeepers put the cart before the horse.

The 1997 proposal required the FCC to auction off the airwave frequencies occupied by television channels 52 to 69 many years before those airwave channels were due to be clear of those incumbent broadcasters, and the 1997 law contained no provisions to assure would-be bidders or taxpaying consumers that the digital TV transition would be timely and successful.

Instead, the budgeteers simply assumed that everything would work out and pushed for auctions on a calendar date convenient for scoring purposes of all the revenue that would come in from holding the auction. Forget about telecommunications policy, though.

Today we know that the digital TV transition is woefully off schedule. The current FCC policy for clearing out the broadcast television spectrum in the area of 52 to 69 channels on our dial seems to be to simply sell off the frequencies and then authorize unseemly windfall profits to the lucky incumbents who, having gotten digital television spectrum for free, only elect to vacate their old analog channels for a price paid to them by auction winners.

Under this policy, the term ''auction winner'' may well be an oxymoron. What one wins by being the highest bidder in this auction is the right to be subjected to a high tech hold-up by the incumbent broadcaster who will not move unless paid. To make this FCC policy even worse is that when that broadcaster agrees to vacate the area for a handsome fee, the broadcaster may not even broadcast in digital format on its so-called digital pair, the digital spectrum which they have. It may obtain FCC permission to continue analog broadcasting, the same broadcasting we have had since 1948. We will just continue to see the highlights of the first 75 years of NBC broadcasting for the next 75 years and the same television channels with no new digital technology.

I think this whole notion offends most people's sensibility, and I think it underscores the fact that the Commission needs additional time to rethink its mission in this area.

Moreover, we also do not have anything remotely resembling an overarching spectrum plan to address key policy goals, such as fostering a more competitive wireless policy or enhancing public safety needs. We do not yet have a policy to promote new wireless services such as third generation, or 3G, mobile services or other innovative new wireless technologies and services for broadband connections of video applications.

The reality today is that our lack of progress in accelerating the digital television transition is holding two revolutions in check, both the interactive digital television market, which all Americans are waiting for, that inexpensive digital television set costing $300, $400 that they have been promised for 20 years, still not affordable to the average American family, still being denied to them by these terrible policies, and advancing the wireless market; that is, the two-way wrist TV that Dick Tracy and his cartoonist Chester Gould promised us in 1960. That still is not possible because we do not have a spectrum policy, and it really is turning into a telecommunications disaster. Disaster.

The utter failure to follow through effectively on the industrial policy we started when we gave the broadcast industry an extra 6 megahertz each, each, for the transition to digital technology means that we are literally holding back the future. No digital television and no third generation wireless. Unbelievable for a country which is supposed to be the leader in new technology.

We are now paralyzed as a Nation. We are stifling innovation. We are stunting growth and we are needlessly depressing the entire high tech sector of the American economy. We must free up this spectrum but in a way in which we know it is going to be used, both for digital TV and in the wireless area.

It is time to put the telecom policy horse in front of the auction cart. Today, we will pass legislation that wisely deletes the budget-mandated auction dates in the law and requires a report to Congress describing the progress made by the Commission in speeding the digital television transition, as well as identifying slices of spectrum for advanced wireless services, including mobile services such as 3G.

Again, I want to compliment the gentleman from Michigan (Mr. UPTON), along with the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) and all the members of our committee who are working together now on a policy that hopefully will now free up this spectrum. Unless the Federal Communications Commission begins to listen to us, unless the Bush administration starts to listen to us, then unfortunately all we are going to do is continue to repeat the mistakes that were made during the Clinton administration, and I am just afraid that we are not going to see this high tech sector, this telecommunications sector, this NASDAQ sector get off its back unless the Bush administration puts in place a set of policies that gives incentives to hundreds of companies and entrepreneurs across the country to once again invest in this high tech sector.

Madam Speaker, I reserve the balance of my time.

Mr. UPTON. Madam Speaker, I yield myself such time as I may consume.

I would just note that I am convinced that the Bush administration does not want to repeat the mistakes of the Clinton administration. I look forward to working with the gentleman as we deal with this issue in the future.

Mr. MARKEY. Madam Speaker, I yield myself such time as I may consume.

Up to this point there is no evidence that can convict the Bush administration of not repeating the same mistakes as the Clinton administration. The only problem is that this high tech boom ended in 2000 and that millions of Americans are now waiting for the next generation of technologies, and unless the policy is forthcoming from the Bush administration, I am afraid we could go through this entire decade and not see a revival.

I think that is a very dangerous prospect, and I am hoping today, on a bipartisan basis, we can send a message to the Bush administration that they can put together a comprehensive policy.

Madam Speaker, I yield back the balance of my time.

Mr. UPTON. Madam Speaker, I yield myself such time as I may consume.

I would just like to reiterate that Secretary Evans very strongly supports this legislation. We expect the President to sign it should we get it through the other body.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 4560, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1715

SENSE OF CONGRESS REGARDING PUBLIC AWARENESS OF THE IMPORTANCE OF HEALTH CARE EDUCATION AND HEALTH CARE COVERAGE MONTH

Mrs. WILSON of New Mexico. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 271) expressing the sense of the Congress that public awareness and education about the importance of health care coverage is of the utmost priority and that a National Importance of Health Care Coverage Month should be established to promote these goals.

The Clerk read as follows:

H. CON. RES. 271

Whereas census estimates indicate that some 42 million Americans are without health insurance coverage, many of whom are among the most vulnerable of American citizens who can be financially devastated by serious illness, disease, or accident;

Whereas studies have shown that people with health insurance are healthier than those who are uninsured and receive care through emergency rooms or safety net health care services, because the insured are entitled to, and receive, more preventive care, follow-up care, and care for chronic conditions such as diabetes and high blood pressure;

Whereas over 17.3 million of the uninsured are employed, but are not offered health insurance through their employers;

Whereas such employers are small business owners who are often unaware of the benefits of offering insurance, including the fact that it is tax deductible, that it helps to reduce employee turnover, and that it helps to reduce employee sick days;

Whereas over 16 million people, more than one-third of the uninsured, are in families where at least one member of the family has been offered employer based health care coverage but has turned it down;

Whereas many citizens are eligible for public assistance programs such as the State Children's Health Insurance Program, known as SCHIP, and the Medicaid program, but are not currently enrolled due primarily to lack of outreach, education, and accessible enrollment processes;

Whereas studies have shown that many citizens and small businesses are unaware of the various options they have for obtaining affordable health care coverage;

Whereas surveys have shown that many individuals who cite expense as the reason for not purchasing insurance find it to be affordable once they are informed of the true cost of various options; and

Whereas education about health care coverage helps uninsured citizens and employers to understand the critical value of health insurance as a preventive measure, as well as the ways to keep their health insurance premiums manageable once they have health care coverage: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—

(1) a National Importance of Health Care Coverage Month should be established to promote a multifaceted educational effort about the importance of health care coverage, and to increase awareness of the many available health care coverage options, and should include efforts to inform those eligible for public insurance programs of how to access those programs; and

(2) the President should issue a proclamation calling on the Federal Government, States, localities, citizens, and businesses of the United States to conduct appropriate programs, fairs, ceremonies, and activities to promote this educational effort.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico (Mrs. WILSON).

GENERAL LEAVE

Mrs. WILSON of New Mexico. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the legislation now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume.

There are more than 40 million people in America who do not have health insurance who are part of the workforce, despite widespread private insurance plans, as well as public availability of different kinds of programs in health insurance. These are the same people who are very likely to forego services like periodic checkups and preventive services and immunizations for their kids. They delay going to get health care. And, later, these same people show up in our health care systems with very acute conditions requiring costly medical attention and conditions that may have been entirely preventable with early detection.

Uninsured people are hospitalized at least 50 percent more often than the insured are for what are called avoidable hospital conditions, like pneumonia. They wait until the pneumonia gets so bad and they are so sick that they have to go to the emergency room when, if they went earlier, they could have been put on a course of antibiotics and there could have been treatment without hospitalization. They are also much more likely to be diagnosed with late-stage cancer than those with insurance are. People who are uninsured delay going to the doctor until it is too late.

Uninsured adults are four times more likely and children five times more likely to use the emergency room compared with the insured. People who have insurance have a primary care doctor. When they get sick, they make an appointment, or they go to the walk-in care clinic where their doctor has told them to go. Those who are uninsured wait and show up in our Nation's emergency rooms.

The costs for the uninsured are absorbed by the community as a whole, either through public programs, through our disproportionate share hospital program, or through increases in health insurance costs for those who do have insurance. So we do bear the cost as a community. Care is not denied to people, but it is not offered in the most efficient way and it is certainly not offered in the best way for those who lack health insurance.

Now, I am not really big on just hortatory resolutions. That is not my thing. At the same time, I saw some evidence recently that really shocked me and that caused me to bring forward this resolution today. I do not like things that are just symbolic, but I do believe America needs an education campaign to inform small businesses, even some medium- and large-sized businesses, employees, and parents about how to get health insurance.

There was a recent study by the Employees Benefit Research Institute that said that 57 percent of small businesses did not know that health insurance is tax-deductible. In other words, if a small business owner, and these businesses employ most of the people in this country, if they do not know that they can provide health insurance to their employees and the cost of that is an expense, a legitimate business expense, they are going to be less likely to look for a plan to be able to offer to their employees. So it told me that education is necessary, and that maybe the Congress could do something about it and make insurance more affordable and more available to employees in this country.

Over one-third of the uninsured are in families where coverage is offered by an employer and they declined the insurance. Sometimes it is because the premiums or the co-pays are too high,

but sometimes education can overcome that reluctance to sign up for health insurance because it mitigates the risks and makes health coverage or health care more available for people.

There are many parents who are eligible, whose children are eligible, for what is called the State Children's Health Insurance Program that was passed by the Congress in 1997, but they do not know that they are eligible. As a result, we have 8 million children in this country who are eligible for health insurance who are not enrolled in that program, and that program is low-cost or no cost to the parents. We need to get the word out to parents that health insurance is available to them through a publicly supported program for their children so that their children can get the preventive care that they need.

We need to educate small business leaders. We need to educate the workforce. We need to educate parents so that we can increase the access to health care and increase the number of people who are insured in this country. I believe that Congress can play a role in educating our constituents.

We need to ensure that small businesses understand that there is a way to provide health insurance and deduct the cost from the cost of doing business. We need to educate them on how to set up cafeteria plans, which can be a nightmare for small businesses, but there are easy programs to do that. We need to get the information out there so that employees can set up plans to be able to use pretax dollars to pay for health costs, which is entirely allowable under the Federal Tax Code.

Children and the uninsured individuals need to find out about the importance of health care coverage and the existing tax benefits and public and private programs that are available for parents that they are eligible for and should go ahead and register for.

This resolution that we are discussing, and I hope will pass today, will call on the President to designate October as National Importance of Health Care Coverage Month, and increase awareness about the importance of health coverage and the ways to obtain it.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I share the view of the gentlewoman from New Mexico (Mrs. WILSON) that health insurance is important, that education and outreach are also important. But if I poll people in my district who are uninsured, I am pretty sure they would say it is actually Members of Congress who need education. The uninsured in my district know that going without health insurance is a bad idea. Most of them did not choose that; it is either not available or it is too expensive. Small business knows that sponsoring health insurance for their employees is a good idea. They still cannot afford it.

The resolution of the gentlewoman from New Mexico says that public awareness and education about the importance of health insurance coverage is of the utmost importance. Our utmost priority should be to make sure Americans actually have access to health coverage. Instead, we sit idle in this body as existing health coverage erodes in the United States.

State Medicaid programs throughout the country are in the red. Several States seriously are considering scaling back Medicaid programs. Congress has looked at legislation to provide temporary assistance to States so they can maintain their Medicaid programs. Congress has looked at proposals to help unemployed workers weather the economic downturn without losing their health coverage. Congress has looked at plans to prevent a dip in funding for the Children's Health Insurance Program that will leave 300,000 children without coverage. But have we taken action on any of these fronts? No.

It is a math question: If you drain the budget surplus into tax cuts for the wealthiest people in the country and tax cuts for Enron and IBM and General Motors, the dollars simply are not there to help sustain existing health coverage, much less expand access. So we pass resolutions and do nothing because we do not have the money to do it.

Promoting outreach to inform people about Medicare and the Children's Health Insurance Program, but looking the other way as Medicaid and SCHIP programs throughout this country are put on the chopping block, rings a bit hollow under these circumstances. And by the way, Medicaid and SCHIP insure 1 out of 5 children in this country. If we care about health insurance, we should care less about resolutions like this but more about these programs.

When we consider that this Congress has done nothing, nothing to expand or even to preserve access to health insurance, nothing unless you count these empty resolutions, these resolutions say this to the public: Congress cares deeply about your situation. We really do. We are not going to lift a finger to help you, but drop us a line and let us know how things turn out, because we are really interested.

The House Republican prescription drug and Medicare privatization plan sends the same message. It says to seniors: We really do care. We really do. But, unfortunately, it is not you whom we care about. We are offering up a prescription drug plan, Republicans tell us, that will not protect you from high drug cost; the truth is it is not even workable, because we prioritized tax cuts for the richest Americans and the largest corporations ahead of you and now we cannot afford to add even a decent drug benefit to Medicare.

That is why we saw the histrionics last week from Republican leaders proposing some phony kind of prescription drug benefit. I am sure many of the same Members of Congress who recently eliminated another $374 billion from the Federal budget by making permanent the tax cuts that go overwhelmingly to the richest Americans, dollars that could have been used to find a real solution to prescription drug needs, dollars that could have been used to expand or at least preserve access to health insurance, I am sure many of those same Members who voted to make the tax cut permanent, who made a tax cut permanent so we cannot afford prescription drug coverage, we cannot afford access for children to health care, those same Members that voted to make that tax cut permanent will also vote today to promote National Importance of Health Care Month. They might send out a news release, they might go home and brag about how they are interested in expanding health care to children and taking care of a prescription drug benefit. But on behalf of the millions of uninsured, the millions of underinsured, the millions who do not have prescription drug benefits, and the millions of Americans that the House Republican leadership leaves in the dust when you voted for tax cuts, I would like to say, thanks for nothing.

Madam Speaker, I reserve the balance of my time.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume.

I thank the gentleman from Ohio for his remarks. We have worked together on a variety of things related to health care, and on this one we may agree on the resolution but we disagree on some facts, and I think they are important facts.

The gentleman from Ohio and I serve on the same committee that extended the SCHIP program last year and allowed States to retain the funds in the SCHIP program longer than they were authorized without returning them to the Federal Government and having them redistributed. I think that was the right thing to do. It certainly was right for my State of New Mexico.

This House passed three times the extension of health care benefits to the unemployed who are out of work through no fault of their own and the extension of unemployment benefits to cover those people.

This House has passed and now we are in conference with the Senate on a patient's bill of rights. And in that patient's bill of rights we did some other things for health care, including making self-employed health care coverage fully deductible. If you work for IBM, IBM can take the full cost of that premium and write it off as an expense for a business. But if you are self-employed, under the current tax system you cannot. That is not right. This country thrives on small business. And people who start up their own companies and who are self-employed should be able to fully deduct their health care costs.

That bill also included the association health plans provision, to extend

health care coverage and get more people insurance.

The gentleman and I also work on the committee that is getting down to brass tacks now to implement the budget resolution that this House passed that sets aside $350 billion over the next 10 years to add a prescription drug benefit to Medicare. If we were starting out today with a clean sheet of paper for health care for senior citizens, no one in their right mind would exclude prescription drugs. But back in 1965, medicine was only 1 percent of the cost of health care. Now it is up to 15 percent of the cost of health care. People should not have to be forced to choose between buying medicine and buying groceries, but that is the situation a lot of the seniors in my district are in today. And that is why we are going to pass a bill through this House that adds a prescription drug benefit to Medicare.

My colleague and I disagree also about the importance of tax relief last summer. And I think the big thing for me is this: The Council on Economic Advisers about 3 months ago came out with a report on the impact of that tax relief. Now, Congress does not always do things at the right time. We usually end up taking action long after the problem is over.

□ 1730

But on the tax bill we got it right. It was just in the nick of time, and there are 800,000 Americans today who have jobs because we passed tax relief at the right time to get this economy back to growing jobs and back to solid economic growth. That is what the tax relief bill did. It got our economy back and growing.

The gentleman from Ohio (Mr. BROWN) and I share a concern about the uninsured. I think education is a piece of it. It is not a cure-all. We have a lot of other work to do, but I am proud of this House that we have done so much work in this session of Congress.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), who understands, unlike the Republican leadership, that we must do something about prescription drug prices.

Mr. PALLONE. Madam Speaker, the biggest problem with lack of coverage today is prescription drugs. As the gentleman from Ohio mentioned, the Republican leadership is not doing anything about the cost. The biggest concern that my constituents tell me is that they cannot afford the price of drugs. What is the Republican leadership doing about it? Absolutely nothing. Their proposal to address the prescription drug issue is simply a sham.

First of all, it is not under Medicare. Medicare needs to be expanded so that everyone who is eligible for Medicare gets a prescription drug benefit guaranteed, and they know what the benefit is. What the Republican leadership is saying is we are going to send some money out to private insurance companies or to the States, and we hope that Americans can take this voucher, and if they are low income, they can find some insurance company to give a drugs-only policy to cover prescription drugs. They are assuming that the only people that are going to be able to take advantage of it are very low-income people, about 6 percent of the senior population. And even those will not be able to take advantage because the insurance companies have said they will not sell these prescription drug medicine-only policies.

Madam Speaker, what we need is to expand Medicare for all seniors so they all get a prescription drug benefit, and it has to be a generous benefit. It has to say if someone pays so much per month as a premium, like one does with their doctor bills, they get a guarantee from the Federal Government that it is going to bring their cost down so they can pay for their drugs. That is not what the Republicans are offering.

They are doing another sham, like they did 2 years ago, where they are trying to throw some money out there and give the impression that somebody is going to get a prescription drug benefit. It is a joke on the American people. But going back to the main thing is cost. Everyone tells me they cannot afford to pay for the drugs.

What the Democrats are saying is not only are we going to give a generous benefit guaranteed under Medicare, but we are going to have the Secretary make sure that the costs come down.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this a resolution that we are debating about the importance of health care coverage for the uninsured.

The gentleman from New Jersey (Mr. PALLONE) mentioned where we are going on prescription drug coverage, and it is amazing to me. I serve on the Leadership Task Force on Prescription Drugs, and the gentleman from Ohio (Mr. BROWN) and I serve on the Subcommittee on Health that is working on the bill. We have set aside $350 billion over the next 10 years to add a prescription drug benefit to Medicare. We are trying to work out the details of that plan and that option.

First of all, it has to be part of Medicare. Everyone agrees on that. It has to be part of the Medicare program. And everyone who is eligible for Medicare has to have some access to that coverage.

I think it has to be voluntary so Americans who have coverage from an employer, or veterans and get it through the VA, they should not be forced to participate. It has to be affordable. That means we have to make sure that those who are low income or those with high drug costs get the most help from the Federal Government. A $350 billion commitment over 10 years is a significant contribution by the Federal Government to provide that coverage.

I think it also needs to provide choices. What the gentleman from New Jersey (Mr. PALLONE) needs for his constituents in New Jersey may not be the same thing that my constituents need, or that we need in rural places in New Mexico. I like to get my medicine downstairs at the pharmacy in the building where I see my doctor. Rural Americans may want a mail order plan. Americans should have options, and those are some of the principles we are working from.

We are determined to bring to the floor a prescription drug benefit plan added to Medicare before the Memorial Day recess. In the last Congress, the House passed a bill to do so. The Senate did not. We are determined to be persistent and keep going because the people in my district need it, just as the constituents of the gentleman from New Jersey (Mr. PALLONE) do. On that, we can agree.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Madam Speaker, I appreciate the opening statement of the gentleman from Ohio (Mr. BROWN). The American people appreciate the importance of health care. Families struggle every day with whether or not coverage is accessible to them. There was no great glee in the land when they killed the Clinton health care plan. We had 38 million uninsured people, and we now have 42 million uninsured people. In spite of the recitation that the gentlewoman from New Mexico (Mrs. WILSON) cites, we still have 42 million people who are uninsured.

Why? Because we have created a hodgepodge of programs where they have to be a detective to figure out whether or not they are eligible. They move and lose programs, their children move and lose programs, whether they are employed, not employed, whether in school, out of school, whether on or off of Medicaid, all of these programs. They spend all of their time worrying about eligibility, and they are covered for very little period of time.

The gentlewoman has also suggested that this is part of a grander plan to bring a $350 billion prescription drug program to the floor. That is not it at all. $350 billion is for everything they say that they want to do in Medicare. The program is less than half that amount, which has been proven to be inadequate to provide a prescription drug benefit that is useful without the people on Medicare paying out thousands and thousands of dollars before they get any real advantage to the program.

So the question here is not whether or not people think health care coverage is important or not. The question is, What is the Congress going to do about it? What is Congress going to do about these 42 million Americans? What is Congress going to do about the children who are growing up in families where at least one person is employed, and in many cases both are employed, and they do not have access to health care? The programs that we have put in place so far, while commendable, still leave millions of America's children and working people without insurance.

Yes, we have made it more deductible for small businesses and individuals; but the fact is that even small businesses and individuals cannot afford to provide the insurance that Americans need so desperately.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Madam Speaker, I rise to speak on H. Con. Res. 271. Approximately 42 million people in this country are without health insurance. Those with no coverage are more likely to be young adults, poor, Hispanic, African American, rural or small business employees. As chairperson of the Congressional Black Caucus Health Braintrust, but even more so as a family physician who practiced for 21 years before coming to Congress, I know what not having insurance coverage does to families and individuals. They delay or avoid care, most likely seeking care through emergency rooms which cannot provide for need continuity or safety net services which are often underfunded, understaffed, and underequipped. Not being insured is the seventh leading cause of death in this country, resulting in 83,000 deaths annually.

Although tonight we are focusing on insurance coverage, it is important to recognize that providing access to health care is more than providing insurance, but also insuring an adequate infrastructure for the uninsured or the newly insured to receive proper health care.

Madam Speaker, we must all support educating the public on all of the health care coverage options available, and make an extra effort to link those, but education is only half the battle. We as lawmakers must continue to work on passing legislation that will leave no individual without access to quality health care.

This includes lifting the cap on Medicaid for the offshore territories, providing a Medicare drug benefit, paying the doctors and other providers a fee that will allow us to keep our doors open, and passing a strong Patients' Bill of Rights. Most of all, it means committing to universal health care by 2004 to everybody in this country.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. PASTOR).

(Mr. PASTOR asked and was given permission to revise and extend his remarks.)

Mr. PASTOR. Madam Speaker, first of all, I thank the gentlewoman from New Mexico (Mrs. WILSON) for bringing this resolution to the floor. It is very important that we recognize the health needs of our community. I would tell the gentlewoman that I agree with her that education is very important. One of the problems that we have found in Arizona that, although many children are eligible for SCHIPs, there needs to be an outreach program. In Arizona we have found that the State legislature refuses to provide those monies that would go into those programs to make the families aware that SCHIPs is available and that their children probably qualify.

I would also agree with the gentlewoman that we need to address the health needs of our society. I would ask the gentlewoman to join those of us who believe that the 43 million people in this society, even though they are employed, even though they are working but are not covered by health insurance, maybe this Congress will see fit to provide a universal health care program in which all Americans would be entitled to quality and affordable health care.

During our district work periods, I have been visiting senior centers and also going door to door. They invite me in their homes or bring the prescriptions to the senior centers, and show me the number of medications that they have to take. Many times it is three or four medications that they take. They explain to me that the cost of the prescriptions are getting so high that they have to make difficult choices. Many times they are not taking the prescriptions as they should because they want to increase the number of days that the medication might be available to them.

I also, in asking them how they feel this prescription drug benefit ought to be covered, the majority tell me, because they are familiar with Medicare, they would like to see Medicare be the vehicle to provide the prescription drug benefit. To them choice is not as important; to them the availability of the drugs, the cost of the drugs being lesser so they could afford them, and in a system that they are aware of and know how it works, they would prefer that. I thank the gentlewoman for agreeing that maybe the prescription drug benefit should be a Medicare program.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, I share comments with all who have spoken for the need of health education and awareness. However, I do not agree that piecemeal in health care will ever get us to the point that we have the coverage that is necessary. Yes, we need a prescription drug program. I agree with that. Yes, the children's health program is helping. But in reality what we really need is universal coverage for each and every American citizen. We need a health system where everybody is in, and nobody is out.

□ 1745

We need a system that covers each and every person from the cradle to the grave. While we move towards that, piece by piece, ultimately we will come to the realization that we must have a system, everybody in, nobody out.

Mrs. WILSON of New Mexico. Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman for his kindness in yielding me this time and I do appreciate the work he has done on ensuring that all Americans can have good health care. I also thank the gentlewoman from New Mexico for giving us the opportunity to debate this very important issue on the floor of the House and for the support of such legislation and the bringing forward of such legislation.

It should be noted that we have an estimated 42 million Americans who are without health coverage. There are over 17 million Americans who are employed but lack health coverage through their employer. Due to the high cost of health care coverage, over 16 million Americans are in families where at least one member of the family has been offered employer-based health insurance but was forced to turn it down because of the high cost of that health insurance. This happens every day.

I note that the resolution specifically speaks to outreach and education. It also speaks to trying to impress upon small businesses the value of having health insurance to cut down on sick days of its employees and to encourage them to stay longer. It also speaks to the insurance provided by Medicaid for the State Children's Health Insurance Program. But I think we need to go further. I think we need to have a list of what we do not have and how Congress has failed the American public.

We do not have a prescription drug benefit for seniors through Medicare. We have not passed a Patients' Bill of Rights, therefore, giving access to individuals for good health care across the country. We have large numbers of children that are uninsured who have not yet had access to the Children's Health Insurance Program that was passed at least 4 years ago or more in the 1997 Budget Act. We have not done our job.

Though we can pass a resolution such as this that really has a good purpose, it is not a good result. We must work

together as Republicans and Democrats to ensure that those who we represent can have access to good health insurance and health coverage. I believe that the Democrats have a very valid and viable plan; that is, to pass a real Patients' Bill of Rights, a drug benefit for our seniors, and to ensure that we have the kind of funding to cover our children who are uninsured.

I want to voice my support for health care coverage for Americans who are uninsured. An estimated 42 million Americans are without health coverage. There are over 17 million Americans who are employed, but lack health coverage through their employer. Due to the high cost of health care coverage over 16 million Americans are in families where at least one member of the family has been offered employer-based health insurance, but was forced to turn it down because of the high cost.

This resolution helps to express the sense that I have that the Congress should establish and promote an educational effort about the importance of health care coverage, as well as increase awareness of the many affordable health care coverage options. This should include efforts to inform people who are eligible for public insurance programs about how they can obtain coverage under these programs.

The Tauzin-Bilirakis bill will go far in creating equity in health care coverage for all Americans. I believe that the President should issue a proclamation calling for the federal government, states, localities, citizens and businesses to conduct appropriate programs, fairs and activities to promote this educational effort.

However at the same time, it is imperative that the Congress doesn't just pass resolutions. We must act now to pass a prescription drug benefit for seniors, to fund children's health coverage, immunization and a real patient bill of rights—the Republican Congress has failed in these efforts.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume. I thank my colleague from Texas for coming down and talking about this problem because it is an important one, but I would note that the House has passed a Patients' Bill of Rights and we also passed one the previous Congress. My State of New Mexico has a Patients' Bill of Rights at the State level. I have supported the Patients' Bill of Rights here in the House and I hope we are able to resolve the differences with the Senate and have a Federal Patients' Bill of Rights as well as a prescription drug benefit.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 additional minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman for yielding me this time. In fact, I would just comment that I appreciate that the House has passed a Patients' Bill of Rights. My point was that we in Congress collectively have failed in the fact that the bill is not ready to be signed. It is not law.

I guess the other point, as I reclaim my time, is to simply say to the House that, of course, the difficulty in the legislation was what was pulled out of it. It concerns me because it was a legislative initiative that first started that had all of the physicians in support of the baseline bill that provided open access to emergency rooms and holding HMOs responsible. I do not think we are at that point yet.

But I will say to the gentlewoman, yes, the House has passed legislation; I just believe we should move expeditiously through the normal processes so that we can get a bill that we all can be respectful of but, most importantly, that the American people can be served by to the President's desk.

Mr. BROWN of Ohio. Madam Speaker, I yield myself such time as I may consume.

There is a frustration in this House of Representatives as we have seen from this line of speakers, probably 10 people on the Democratic side, who care enough to show up on the House floor and talk about health care issues. There is a frustration that we have not passed a Patients' Bill of Rights. Granted the House passed it, but the fact is there is no Patients' Bill of Rights signed into law. There is a frustration that this House has not taken up the Medicare buy-in bill, a voluntary program, revenue neutral, that would allow 55- to 64-year-olds who have lost their health insurance through no fault of their own to go into the Medicare program.

There is a frustration in this House that we have done nothing except talk about a prescription drug benefit, nothing about a prescription drug benefit inside Medicare, nothing about prescription drug prices as the drug companies are the most profitable industry in America, enjoy the lowest tax rate in America, where American taxpayers pay half of the cost of research and development and the drug companies turn around and reward Americans by charging us more than people anywhere else on Earth.

There is a frustration in this House that we have not moved on children's health issues, that we simply have failed to reduce the number of children who lack health insurance.

But there is a bigger frustration from our constituents, a frustration embodied in the fact that every couple of months 50 people join me on a bus from my district from northeast Ohio to go to Canada to buy drugs at one-half or one-third or one-fourth the cost of prescription drugs in local drugstores because the drug companies simply charge Americans, not the pharmacies, but the drug companies simply charge Americans more than anywhere else. There is a bigger frustration from our constituents who have to cut their prescriptions, that have to cut the drugs that they are taking in half or take them every other day or do some other creative kind of ingestion of their drugs because it is simply that they are prescription drugs, simply because they want their prescription to last longer.

There is a frustration among our constituents who watch their children get ear infections and just wait and wait and wait because they do not have health care coverage, then they take them to the emergency room and they might lose their hearing.

There is a frustration among our constituents who have to choose to take their drugs instead of providing enough food or turning their heat up warm enough in the winter.

There is that frustration aimed at this Congress because we simply are not doing anything on the major issues. We are not taking care of children without health insurance, we are not taking care of prescription drug coverage for seniors, we are not taking care of people who are 55 or 58 or 60 years old whose factories closed, whether they are steelworkers or autoworkers or small business people or shop owners, who simply cannot afford their prescriptions and cannot afford their health care. That is the frustration.

This Congress passes a resolution, we will all say yes when you call this vote and we will all support it, but the fact is this Congress again on Tuesday afternoon comes in, people fly in from all over the country and we debate and vote on resolutions like this but we do not do anything on prescription drug coverage, we do not do anything on health insurance, we do not do anything on children's health, we do not do anything on any of these issues that matter to the American people.

Madam Speaker, I yield back the balance of my time.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume. My colleague from Ohio and I share the same frustration. In some ways I think we have similar kinds of personalities. We are get-the-job-done kind of people. We came here to do things for the people we care about in our communities and we want to get it done. It is sometimes frustrating to do this job because it requires a national consensus, which we have obtained here in the House several times. But then we have to negotiate with the Senate. We have to get the President on board and do all of these things.

What amazes me is how much we have achieved over the last 5 years, even though challenges remain. In 1997, this Congress passed landmark legislation to extend health care coverage for children in partnership with States. Then my colleague from Ohio and I voted to extend that so that States could keep that additional funding. The frustration for me is that there are 8 million American children who are eligible for SCHIP whose parents have not enrolled them and they are not getting care. We have an education gap. That is what we are trying to address and remedy here today.

We have passed a Patients' Bill of Rights. I hope that that Patients' Bill of Rights is ultimately signed into law.

I have voted for it. We have passed a budget to set aside $350 billion to add a prescription drug benefit to Medicare and to modernize Medicare. There is a company in my district called Express Scripts. They are a mail order pharmacy. They send out tens of thousands of prescriptions to people. But because Medicare is not modernized, there is a difference between if you have regular health insurance or if you are on Medicare. If you have regular health insurance, they get in the order for the medicine, they verify your eligibility online and they mail out the medicine that day. But if you are on Medicare, because Medicare is still back in the 1960s as a health plan, it takes 2 weeks to verify your eligibility with the Federal Government for Medicare. That is a senior who is out there waiting for their medicine because Medicare is not a modern program.

We have to add a prescription drug benefit to Medicare. We have to modernize Medicare. I am committed to working with my colleague from Ohio and others to do so. But we also have to narrow the education gap, to educate parents about what is available under Medicaid and under SCHIP and under employer-sponsored plans. Fifty-seven percent of small businesses in this country do not know that providing health care insurance for their employees is tax deductible. They do not know they can put it down as an expense. We need to make those changes, and we need to make sure that people know what the laws currently are so that we have fewer people uninsured, because uninsured people end up sicker than the rest of us. They end up in hospital emergency rooms more than people who have insurance. They are much more likely to be diagnosed with late stage cancers that are incurable. They end up getting their health care from emergency rooms rather than primary care physicians. They do not get annual pap smears and mammograms. They do not get immunizations for their children. We need to change the system so that the uninsured have the information and the access to insurance.

That is why I brought this resolution forward tonight. I ask for my colleagues' support.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentlewoman from New Mexico (Mrs. WILSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 271.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. WILSON of New Mexico. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

ENHANCED BORDER SECURITY AND VISA ENTRY REFORM ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 3525) to enhance the border security of the United States, and for other purposes.

The Clerk read as follows:

Senate amendments:

Page 2, line 4, strike out ''2001'' and insert ''2002''.

Page 2, in the table of contents, after the item which reads

''Sec. 203. Commission on interoperable data sharing.''

insert:

Sec. 204. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system (''Chimera system'').

Sec. 205. Procurement of equipment and services for the development and implementation of the interoperable electronic data system (''Chimera system'').

Page 2, in the table of contents, strike out

''TITLE IV—ADMISSION AND INSPECTION OF ALIENS''

and insert:

''TITLE IV—INSPECTION AND ADMISSION OF ALIENS''.

Page 2, in the table of contents, after the item which reads

''Sec. 403. Time period for inspections.''

insert:

Sec. 404. Joint United States-Canada projects for alternative inspections services.

Page 3, after line 15, insert:

(3) CHIMERA SYSTEM.—The term ''Chimera system'' means the interoperable electronic data system required to be developed and implemented by section 202(a)(2).

Page 3, line 16, strike out ''(3)'' and insert ''(4)''.

Page 4, line 15, strike out ''(4)'' and insert ''(5)''.

Page 4, line 19, strike out ''(5)'' and insert ''(6)''.

Page 5, line 4, strike out ''(6)'' and insert ''(7)''.

Page 5, line 16, strike out ''2002'' and insert ''2003''.

Page 6, line 1, strike out ''2002'' and insert ''2003''.

Page 6, strike out lines 17 through 20.

Page 6, line 21, strike out ''(c)'' and insert ''(b)''.

Page 7, line 2, after ''pay'' insert ''effective October 1, 2002''.

Page 8, line 1, strike out ''(d)'' and insert ''(c)''.

Page 8, line 10, strike out ''and''.

Page 8, line 21, strike out ''(e)'' and insert ''(d)''.

Page 15, line 11, strike out ''one year'' and insert ''15 months''.

Page 15, line 13, strike out ''six months'' and insert ''one year''.

Page 16, line 12, after ''alien'' insert ''(also known as the ''Chimera system'')''.

Page 20, line 13, after ''about'' insert ''the''.

Page 21, line 7, after ''of'' insert ''Central''.

Page 22, line 2, strike out ''in this title'' and insert ''in section 202''.

Page 22, line 24, strike out ''against''.

Page 23, after line 14, insert:

SEC. 204. PERSONNEL MANAGEMENT AUTHORITIES FOR POSITIONS INVOLVED IN THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM (''CHIMERA SYSTEM'').

(a) IN GENERAL.—Notwithstanding any other provision of law relating to position classification or employee pay or performance, the Attorney General may hire and fix the compensation of necessary scientific, technical, engineering, and other analytical personnel for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the ''Chimera system'').

(b) LIMITATION ON RATE OF PAY.—Except as otherwise provided by law, no employee compensated under subsection (a) may be paid at a rate in excess of the rate payable for a position at level III of the Executive Schedule.

(c) LIMITATION ON TOTAL CALENDAR YEAR PAYMENTS.—Total payments to employees under any system established under this section shall be subject to the limitation on payments to employees under section 5307 of title 5, United States Code.

(d) OPERATING PLAN.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit to the Committee on Appropriations, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives an operating plan—

(1) describing the Attorney General's intended use of the authority under this section; and

(2) identifying any provisions of title 5, United States Code, being waived for purposes of the development and implementation of the Chimera system.

(e) TERMINATION DATE.—The authority of this section shall terminate upon the implementation of the Chimera system.

SEC. 205. PROCUREMENT OF EQUIPMENT AND SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM (''CHIMERA SYSTEM'').

(a) EXEMPTION FROM APPLICABLE FEDERAL ACQUISITION RULES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the ''Chimera system''), the Attorney General may use any funds available for the Chimera system to purchase or lease equipment or any related items, or to acquire interim services, without regard to any otherwise applicable Federal acquisition rule, if the Attorney General determines that—

(A) there is an exigent need for the equipment, related items, or services in order to support interagency information sharing under this title;

(B) the equipment, related items, or services required are not available within the Department of Justice; and

(C) adherence to that Federal acquisition rule would—

(i) delay the timely acquisition of the equipment, related items, or services; and

(ii) adversely affect interagency information sharing under this title.

(2) DEFINITION.—In this subsection, the term ''Federal acquisition rule'' means any provision of title III or IX of the Federal Property and Administrative Services Act of

1949, the Office of Federal Procurement Policy Act, the Small Business Act, the Federal Acquisition Regulation, or any other provision of law or regulation that establishes policies, procedures, requirements, conditions, or restrictions for procurements by the head of a department or agency of the Federal Government.

(b) NOTIFICATION OF CONGRESSIONAL APPROPRIATIONS COMMITTEES.—The Attorney General shall immediately notify the Committees on Appropriations of the House of Representatives and the Senate in writing of each expenditure under subsection (a), which notification shall include sufficient information to explain the circumstances necessitating the exercise of the authority under that subsection.

Page 23, line 25, strike out ''an alien'' and insert ''each alien''.

Page 24, line 16, strike out ''202(a)(3)(B)'' and insert ''202(a)(4)(B)''.

Page 25, line 21, strike out ''October 26, 2003'' and insert ''October 26, 2004''.

Page 26, line 2, after ''comparison'' insert ''and authentication''.

Page 26, line 5, strike out ''each report'' and insert ''the report required by that paragraph''.

Page 26, lines 12 and 13, strike out ''October 26, 2003'' and insert ''October 26, 2004''.

Page 26, line 15, after ''visas and'' insert ''other''.

Page 26, line 18, after ''tablish'' insert ''document authentication standards and''.

Page 26, line 19, after ''visas and'' insert ''other''.

Page 26, lines 24 and 25, strike out ''October 26, 2003'' and insert ''October 26, 2004''.

Page 27, line 3, after ''comparison'' insert ''and authentication''.

Page 27, line 4, after ''visas and'' insert ''other''.

Page 27, line 13, strike out ''and''.

Page 27, line 16, strike out ''(c)(1).'' and insert ''(c)(1); and''.

Page 27, after line 16, insert ''(iii) can authenticate the document presented to verify identity''.

Page 27, line 22, strike out ''202(a)(3)(B)'' and insert ''202(a)(4)(B)''.

Page 28, line 2, strike out ''October 26, 2003'' and insert ''October 26, 2004''.

Page 28, line 9, strike out all after ''biometric'' down to and including ''identifiers'' in line 10 and insert ''and document authentication identifiers that comply with applicable biometric and document identifying''.

Page 28, line 16, strike out ''October 26, 2003'' and insert ''October 26, 2004''.

Page 28, line 17, after ''program'' insert ''under section 217 of the Immigration and Nationality Act''.

Page 29, line 4, after ''mission'' insert ''to a foreign country''.

Page 29, line 23, strike out ''The committee'' and insert ''Each committee established under subsection (a).''

Page 30, line 1, strike out ''PERIODIC REPORTS'' and insert ''PERIODIC REPORTS TO THE SECRETARY OF STATE''.

Page 30, line 1, strike out ''The committee'' and insert ''Each committee established under subsection (a)''.

Page 30, line 2, strike out ''quarterly'' and insert ''monthly''.

Page 30, line 5, strike out ''quarter'' and insert ''month''.

Page 30, after line 5, insert:

(f) REPORTS TO CONGRESS.—The Secretary of State shall submit a report on a quarterly basis to the appropriate committees of Congress on the status of the committees established under subsection (a).

Page 30, line 6, strike out ''(f)'' and insert ''(g)''.

Page 32, strike out all after line 22 over to and including line 5 on page 33 and insert:

(a) REPORTING PASSPORT THEFTS.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(1) by adding at the end of subsection (c)(2) the following new subparagraph:

''(D) REPORTING PASSPORT THEFTS.—The government of the country certifies that it reports to the United States Government on a timely basis the theft of blank passports issued by that country.''; and

(2) in subsection (c)(5)(A)(i), by striking ''5 years'' and inserting ''2 years''; and

(3) by adding at the end of subsection (f) the following new paragraph:

''(5) FAILURE TO REPORT PASSPORT THEFTS.—If the Attorney General and the Secretary of State jointly determine that the program country is not reporting the theft of blank passports, as required by subsection (c)(2)(D), the Attorney General shall terminate the designation of the country as a program country.''.

Page 35, strike out lines 1 and 2 and insert:

TITLE IV—INSPECTION AND ADMISSION OF ALIENS

Page 35, line 10, strike out all after ''the'' down to and including ''(a)'' in line 11 and insert ''President''.

Page 37, line 2, strike out ''(i)'' and insert ''(j)''.

Page 37, strike out lines 3 and 4 and insert:

(3) by striking ''SEC. 231.'' and inserting the following:

''SEC. 231. (a) ARRIVAL MANIFESTS.—For

Page 37, lines 9 and 10, strike out ''an immigration officer'' and insert ''any United States border officer (as defined in subsection (i))''.

Page 37, line 19, strike out ''an immigration officer'' and insert ''any United States border officer (as defined in subsection (i))''.

Page 39, line 9, strike out ''that'' and insert ''that,''.

Page 39, lines 9 and 10, strike out '', aircraft, or land carriers'' and insert ''or aircraft''.

Page 39, line 25, strike out ''$300'' and insert ''$1,000''.

Page 40, line 5, strike out '', aircraft, or land carrier'' and insert ''or aircraft''.

Page 40, line 16, strike out ''prescribe.''.'' and insert ''prescribe.''.

Page 40, after line 16, insert:

''(i) UNITED STATES BORDER OFFICER DEFINED.—In this section, the term 'United States border officer' means, with respect to a particular port of entry into the United States, any United States official who is performing duties at that port of entry.''.

Page 40, line 17, strike out all after ''CARRIERS.—'' down to and including ''the '' the second time it appears in line 18 and insert:

(1) STUDY.—The

Page 41, after line 2, insert:

(2) REPORT.—Not later than two years after the date of enactment of this Act, the President shall submit to Congress a report setting forth the findings of the study conducted under paragraph (1).

Page 41, after line 22, insert:

SEC. 404. JOINT UNITED STATES-CANADA PROJECTS FOR ALTERNATIVE INSPECTIONS SERVICES.

(a) IN GENERAL.—United States border inspections agencies, including the Immigration and Naturalization Service, acting jointly and under an agreement of cooperation with the Government of Canada, may conduct joint United States-Canada inspections projects on the international border between the two countries. Each such project may provide alternative inspections services and shall undertake to harmonize the criteria for inspections applied by the two countries in implementing those projects.

(b) ANNUAL REPORT.—The Attorney General and the Secretary of the Treasury shall prepare and submit annually to Congress a report on the joint United States-Canada inspections projects conducted under subsection (a).

(c) EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT AND PAPERWORK REDUCTION ACT.—Subchapter II of chapter 5 of title 5, United States Code (commonly referred to as the ''Administrative Procedure Act'') and chapter 35 of title 44, United States Code (commonly referred to as the ''Paperwork Reduction Act'') shall not apply to fee setting for services and other administrative requirements relating to projects described in subsection (a), except that fees and forms established for such projects shall be published as a notice in the Federal Register.

Page 48, line 16, strike out ''or'' and insert ''and''.

Page 49, line 4, strike out all after ''COMPLIANCE.—'' down to and including ''reviews'' in line 7 and insert ''Not later than two years after the date of enactment of this Act, and every two years thereafter, the Commissioner of Immigration and Naturalization, in consultation with the Secretary of Education, shall conduct a review''.

Page 49, line 22, strike out all after ''REVIEWS.—'' down to and including ''reviews'' in line 23 and insert ''Not later than two years after the date of enactment of this Act, and every two years thereafter, the Secretary of State shall conduct a review''.

Page 50, line 16, strike out ''(c) EFFECT OF FAILURE TO COMPLY.—Failure'' and insert ''(c) EFFECT OF MATERIAL FAILURE TO COMPLY.—Material failure''.

Page 50, line 24, strike out all after ''1372),'' over to and including ''be.'' in line 5 on page 51 and insert ''shall result in the suspension for at least one year or termination, at the election of the Commissioner of Immigration and Naturalization, of the institution's approval to receive such students, or result in the suspension for at least one year or termination, at the election of the Secretary of State, of the other entity's designation to sponsor exchange visitor program participants, as the case may be.''

Page 54, lines 24 and 25, strike out ''proceeding'' and insert ''proceedings''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3525, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, since September 11, we have learned how deeply vulnerable our immigration system is to exploitation by aliens who wish to harm Americans. H.R. 3525 makes needed changes to our immigration laws to fight terrorism and to prevent such exploitation. I wish to thank the gentleman from Pennsylvania (Mr.

GEKAS), the chairman of the Subcommittee on Immigration and Claims, for his invaluable assistance in crafting this legislation.

This is the third time that the House has considered the main provisions of this bill. We first passed H.R. 3525 last December, and then we incorporated the provisions of the bill into H.R. 1885, which passed in March. Now that we have the other body's cooperation, I can safely say that the third time is a charm and that President Bush will sign this bill into law shortly after we vote on it today.

I will briefly mention two of the bill's most significant provisions. Most importantly, it requires the Attorney General and the Secretary of State to issue machine readable, tamper proof visas that use standardized biometric identifiers. H.R. 3525 extends the same biometric identifier requirements to passports from visa waiver program countries.

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While I preferred the House language requiring such enhanced visas to be issued as of October 2003, the amended Senate date of October 2004 is acceptable.

Second, building upon the enhanced data-sharing requirement of the USA PATRIOT Act, the bill directs our law enforcement agencies and intelligence community to share information with the State Department and the INS relevant to the admissibility and deportability of aliens. This information will be made available in an electronic database.

Madam Speaker, this is important and long overdue legislation, and I urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, let me just thank the chairman of the Committee on the Judiciary for again the perseverance and determination with respect to this legislation and to note that this is one of the first legislative initiatives that came through the House after September 11; the House moved quickly. Certainly, in the shadow of September 11, there was a definitive concern about the protection of this Nation and the security of its borders, and I certainly agree with that. I do appreciate the work of the other body and, of course, the gentleman from Michigan (Mr. CONYERS), the ranking member of the full committee, and the subcommittee chairman for their leadership on this issue.

As I rise to support the Border Security and Visa Entry Reform bill, which all of us have given our approval to the extent that it addresses some gaping holes in a system that even without the horrific tragedy of September 11, it was our responsibility to correct, and I agree with that, I believe that we could and should make our borders more secure and certainly more responsive to the huge numbers of entries that we face all over the country, the northern border, the southern border, but also our other ports of entry.

But as I rise to support this legislation, let me be very clear and be very cautious that it is important that we in this country separate out legitimate and focused immigration policy from the concept of ferreting out terrorists. This bill is to enhance our border security and to place safeguards on our visa entry system. It is not meant to keep out legitimate nonimmigrants who are coming for a specific purpose or to eliminate the possibility of immigrants coming to contribute to our economy and our communities; for example, our tourism visas that have been so vital in the exchange of cultures and the understanding of people from different places around the world.

I am glad that this legislation provides for foreign consulates an opportunity to identify potential terrorists by establishing terrorist lookout committees. This is what we call collaborative. We are working with our neighbors, we are working with foreign consulates and countries who have committed to us that they too want to fight terrorism. We are doing it together in a nondiscriminatory fashion. That should be the key of any legislation that we pass in this House.

In an effort to improve the ability of our foreign consulates to identify potential terrorists, this legislation establishes terrorist lookout committees at each U.S. post abroad. These lookout committees will ensure that names of suspected terrorists are included in the appropriate lookout databases and that those names are transmitted to the appropriate person in the consulate. This bill requires the establishment of a government-wide electric data-sharing system on persons with terrorist ties to be used by Federal officials to determine whether to grant visa applications or permit an individual to enter the United States.

Additionally, the legislation prohibits visas from being issued to an alien from a country designated as a State sponsor of terrorism, which makes sense, unless the Secretary of State, after consultation with the Attorney General and other officials, determine that the alien poses no threat to the safety or security of the United States.

Additionally, this legislation conditions country membership in the visa waiver programs on the country's timely sharing of information regarding the threat of blank passports. Relatedly, this legislation also requires that the Attorney General and Secretary of State enter stolen passport information in the interoperable data system promptly. This bill does address many of the issues that we are concerned with.

Madam Speaker, let me, first of all, thank the chairman of the Committee on the Judiciary for his, again, persistence and determination in working through this legislation and working with the Senate. I might add my appreciation also to Senators KENNEDY, BROWNBACK, FEINSTEIN and KYL, and as well our ranking member, the gentleman from Michigan (Mr. CONYERS) and the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. GEKAS).

But as I rise to support this legislation, let me be very clear and be very cautious that it is important that we in this country separate out legitimate and focused immigration policy from the concept of ferreting out terrorists. This bill is to enhance our border security and to place safeguards on our visa entry system. It is not meant to keep out legitimate nonimmigrants who are coming for a specific purpose or to eliminate the possibility of immigrants coming to contribute to our economy and our communities.

I am glad that this legislation provides for foreign consulates an opportunity to identify potential terrorists by establishing terrorist lookout committees. In an effort to improve the ability of our foreign consulates to identify potential terrorists, this legislation establishes terrorist lookout committees at each U.S. post abroad. These lookout committees will ensure that names of suspected terrorists are included in the appropriate lookout databases and that those names are transmitted to the appropriate person in the consulate. This bill requires the establishment of a government-wide, electronic data-sharing system on persons with terrorist ties for use by federal officials to determine whether to grant visa applications or permit an individual to enter the United States. Additionally, the legislation prohibits visas from being issued to an alien from a country designated as a state-sponsor of terrorism, unless the Secretary of State, after consultation with the Attorney General and other officials, determines that the alien poses no threat to the safety or security of the United States. Additionally, this legislation conditions country membership in the Visa Waiver Program on that country's timely sharing of information regarding the theft of blank passports. Relatedly, this legislation also requires that the Attorney General and Secretary of State enter stolen passport information into the interoperable data system promptly.

This legislation waives a limitation on the hiring of full-time personnel, giving greater control to decision-makers at the border and increasing the number of border personnel. It raises the pay of INS naturalization service border personnel and provides Custom agents, Border Patrol, and INS inspectors with essential training and cross-training. This bill focuses the agencies on the importance and the responsibility and gives them the tools and says to them, you must share intelligence, you must share information, you must help us thwart the terrible devastation of terrorists coming into this country or those coming here wanting to do harm.

Funds are also authorized to enhance technology available to the INS and Customs Service to improve and expand technology and to facilitate the flow of people and commerce at our ports of entry. To offset the cost of such improvements, the Attorney General is authorized to increase land border fees and the State Department is permitted to raise

fees from the use of machine-readable visas. In addition, the Attorney General is required to use authorized funds for installing biometric data readers and scanners at U.S. ports of entry. One of the difficulties at the southern border was that the individuals coming across the Mexican borders have their biometric cards, but we did not have the staff nor the readers of those cards; and there was a great logjam of those individuals who were legally trying to access the United States and were doing everything that they should have done. We must not tolerate that, and improve the systems at the border.

We must also improve our ability to monitor foreign nationals who are present in the United States. Consulate offices who issue visas will be required to transmit electronic versions of visa files to the INS so that critical information is available. A key failure on September 11, was there was no way to track individuals who had overstayed their visas, and there was no way to determine that they needed to be removed from this country.

This legislation also gives greater direction to the integrated entry and exit system established in 1996 by IIRIRA, including use of specific technology standards and technologies to facilitate across the border. What this does, it provides the INS with state-of-the-art technology at our borders. There has to be a better way and a better system and that is to improve the technology of our particular needs at the border.

We are also working with our consulate offices in ensuring that there is a relationship with the Secretary of State. Gaps still exist in the monitoring of foreign students. Accordingly, this legislation expands the monitoring program to include flight schools, language-training programs, and vocational schools; and it improves the reporting requirements on the INS as to the individuals going to these schools. In addition, this legislation requires the INS, in consultation with the Department of Education, to periodically review institutions enrolling foreign students and receiving exchange visitors to ensure that they adhere to the reporting and record keeping responsibilities.

Let me also note that we are very gratified with the inclusion of language from the legislation that the gentleman from Texas (Mr. REYES) and myself cosponsored that for all journeymen, border patrol agents, and inspectors who have completed at least 1 year of service and are receiving an annual rate of basic pay for positions GS–9 of the general schedule under section 5332 will receive an annual increase in their rate so that we can bind comparable and qualified individuals and provide a career pattern.

Let me simply say in closing, Madam Speaker, that I too have a disappointment in the comparing of the needs of developing a real immigration policy with the needs of finding terrorists.

Madam Speaker, just a few months ago, the House of Representatives passed this bill with the inclusion of Section 245(i). This bill that has come back from the Senate does not include that provision. I am aware that one Member from the other body held this up. How can this happen? How can we let it happen? The Extension of 245(i) is a simple measure that would allow for the adjustment of individuals who are here, who are accessing legalization in the right manner. Can we imagine that we could not bring this bill to the floor of the House having passed it once; to allow a simple adjustment so that these individuals could be reunited with their families. I am hoping that we will come to our senses and realize that immigration is not terrorism, that immigration is not lawlessness, that we are a country of immigrants and, as well, laws, and we should find a way to pass 245(i) to reunite our families.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in support of the legislation.

Madam Speaker, the American people have been insisting for quite some time now that we tighten up our borders, that we prevent terrorists and potential terrorists from entering into our country in the first place and, most certainly, that if they do happen to get through, to be able to track them down and to deport them or somehow prevent an act of terrorism that might be in their minds and hearts. So now, after September 11, that insistence has grown into a crescendo of demands by the American public that we do something.

Here, we have the potential of taking gigantic steps in tracking those people who would come to our country under a student visa, shall we say, and then during the course of their academic curriculum at a particular institution, they either drop out and drop out of sight within our society, never to be seen again, or they come to the end of their student visa and again they drop off the face of the Earth into our society, and we sit around helpless as to where these individuals might be. That is why we have millions of illegal aliens in our country. That is part of the reason.

This bill helps protect some systems that can, with high tech, make it possible to track all of these people. So would it not be a great thing to be able to see a student come to our country, legally so, properly so, and whom we would welcome with open arms, and then at the end of his visa when he finishes his years or her years of curriculum at a particular institution, that at that moment the privileges of the visa end and that individual goes back to his or her home country? That is a simple little equation that this bill helps to prepare and to execute. That is just one.

But the other provisions of the bill tighten up our security by strengthening our capacity for border patrols and other screening processes which go across the board in a sweeping effort to heed what the American people are saying to us, tighten up the borders, prevent illegal aliens from coming in, and once they are in here, deport them or bring law enforcement measures against them.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

I appreciate the words of the chairman of our subcommittee, because I do think he highlighted several important aspects of what this bill does. I think that we should also say to the American people that we are working on issues that many of us spoke to even before the tragedy of September 11, and I think it is important to note that one of the reasons why we could not succeed with our immigration policies is a lack of staffing. This legislation focuses on the importance of hiring personnel at the border, full-time personnel, giving greater control to decisionmakers at the border and increasing the number of border personnel.

It is interesting that one of the issues that we had was the lack of comparable pay, lack of professional training, and now we have that, and this legislation will include higher pay for our border service personnel and provides Customs agents and Border Patrol and INS inspectors with essential training and cross-training.

One of the issues that came up after September 11 was the lack of intelligence-sharing. I have even seen an improvement over these last couple of months. We must focus on the fact that the law enforcement agencies must share information. This bill emphasizes that. It also expands technology.

As a member of the Homeland Security Task Force, one of the major issues we talked about is increased technology aspects of the northern border and the southern border. How do we detect whether there is tainted food coming across the border, for instance? We are looking to expand the technology resources there.

To offset such costs of such improvements, the Attorney General is authorized to increase land border fees and the State Department is permitted to raise fees for the use of machine-readable visas.

One of the difficulties we have had at the southern border was that individuals coming across Mexican borders have their biometric cards. There have been a lot of accusations: why do you not use them? But we did not have the staff or the readers of those cards and there was a great logjam of those individuals who were legally trying to access the United States and were doing everything they could that they should have done, but we did not have the resources to deal with it.

This bill places a priority on having those kinds of resources. It also gives us the ability to improve our monitoring of foreign nationals who are present in the United States, and consulate offices who issue visas will be required to transmit electronic versions of visa files to the INS so that critical information is available. This is a key response to September 11 when the State Department was issuing visas and those who had the responsibility for enforcement had no knowledge of

it. Now we have a situation where that data must be transformed, and it was a key element of concern of mine and one of the issues that we raised, both in legislation and with respect to this particular bill.

This legislation also gives greater direction to the integrated entry and exit system established in 1996 by IIRIRA, including use of specific technology standards and technologies to facilitate across the border. What this does is it provides the INS with state-of-the-art technology at the borders. It also provides a working relationship, as I said, with the Secretary of State, the State Department, and consulate offices.

Gaps still exist in the monitoring of foreign students, but this legislation again puts student tracking on the list by doing the following: it expands the monitoring to include flight schools, language training schools, and vocational schools. It seems interesting that when we had the testimony of those who owned the flight schools in Florida, that trained the terrorists of September 11, it did not strike them as funny or somewhat unique that these individuals would want only a specific type of training, training that did not require landing or taking off. I believe with a more secure tracking and notice of these individuals, more serious questions will be asked when individuals come for unique training in the United States. We certainly are open to students, but we recognize that we must be cautious and diligent in that kind of training.

Let me simply say to my colleagues that this bill is an important bill, but this bill went to the Senate, the other body, with 245(i), and that is a bill that dealt with the reunification of families. The bill had been vetted, it had been studied, it had been subject to review here in the House, and that bill still stands idle without attention. The lack of attention to 245(i) does not serve us well, Madam Speaker. It is simply a bill that will allow for the adjustments of individuals who are here, who are accessing legalization, without them having to return to their country, maybe a country, of course, where they are jeopardized, or it may be a country where they are under threat of persecution.

Therefore, it is important that 245(i) get its hearing here in the United States Congress. We need to pass 245(i). It is of great importance that we allow those who are standing in line, thousands who are standing in line for the right kind of access to legalization, who are here with the kind of support systems and family members who can help them access legalization; 245(i) needs to pass.

Let me conclude my remarks by simply acknowledging an article by Daniel T. Griswold entitled ''Don't Blame Immigrants for Terrorism'' dated October 23, 2001. I would like to submit this for the RECORD and conclude my remarks by saying that this border security bill speaks to immigration as it should be spoken to, and that is a fair balance of ensuring that there is access to those immigrants who are fairly and legally accessing this country and access to those who are trying to earn access to legalization without the overall veil that immigration equates to terrorism.

I believe that this is an important legislative initiative, and I ask my colleagues to support this legislation enthusiastically. I ask to submit this article into the RECORD: ''Don't Blame Immigrants for Terrorism'' by Daniel T. Griswold.

[From the Assistant Director of Trade Policy Studies at the Cato Institute, October 23, 2001]

DON'T BLAME IMMIGRANTS FOR TERRORISM

(By Daniel T. Griswold)

In the wake of the September 11 terrorist attacks on the Pentagon and the World Trade Center, the U.S. government must strengthen its efforts to stop terrorists or potential terrorists from entering the country. But those efforts should not result in a wider effort to close our borders to immigrants.

Obviously, any government has a right and a duty to ''control its borders'' to keep out dangerous goods and dangerous people. The U.S. federal government should implement whatever procedures are necessary to deny entry to anyone with terrorist connections, a criminal record, or any other ties that would indicate a potential to commit terrorist acts.

This will require expanding and upgrading facilities at U.S. entry points so that customs agents and immigration officials can be notified in a timely manner of persons who should not be allowed into the country. Communications must be improved between law enforcement, intelligence agencies and border patrol personnel. Computer systems must be upgraded to allow effective screening without causing intolerable delays at the border. A more effective border patrol will also require closer cooperation from Mexico and Canada to prevent potential terrorists from entering those countries first in an attempt to then slip across our long land borders into the United States.

Long-time skeptics of immigration, including Pat Buchanan and the Federation for American Immigration Reform, have tried in recent days to turn those legitimate concerns about security into a general argument against openness to immigration. But immigration and border control are two distinct issues. Border control is about who we allow to enter the country, whether on a temporary or permanent basis; immigration is about whom we allow to stay and settle permanently.

Immigrant are only a small subset of the total number of foreigners who enter the United States every year. According to the U.S. Immigration and Naturalization Service, 351 million aliens were admitted through INS ports of entry in fiscal year 2000—nearly a million entries a day. That total includes individuals who make multiple entries, for example, tourists and business travelers with temporary and aliens who hold border-crossing cards that allow them to commute back and forth each week from Canada and Mexico.

The majority of aliens who enter the United States return to their homeland after a few days, weeks, or months. Reducing the number of people we allow to reside permanently in the United States would do nothing to protect us from terrorists who do not come here to settle but to plot and commit violent acts. And closing our borders to those who come here temporarily would cause a huge economic disruption by denying entry to millions of people who come to the United States each year for lawful, peaceful (and temporary) purposes.

It would be a national shame if, in the name of security, we were to close the door to immigrants who come here to work and build a better life for themselves and their families. Like the Statue of Liberty, the World Trade Center towers stood as monuments to America's openness to immigration. Workers from more than 80 different nations lost their lives in the terrorist attacks. According to the Washington Post, ''The hardest hit among foreign countries appears to be Britain, which is estimating about 300 deaths . . . Chile has reported about 250 people missing, Colombia nearly 200, Turkey about 130, the Philippines about 115, Israel about 113, and Canada between 45 and 70. Germany has reported 170 people unaccounted for, but expects casualties to be around 100.'' Those people were not the cause of terrorism but its victims.

The problem is not that we are letting too many people into the United States but that the government is not keeping out the wrong people. An analogy to trade might be helpful: We can pursue a policy of open trade, with all its economic benefits, yet still exclude goods harmful to public health and safety, such as diseased meat and fruits, explosives, child pornography, and other contraband materials. In the same way, we should keep our borders open to the free flow of people, but at the same time strengthen our ability to keep out those few who would menace the public.

Immigrants come here to realize the American dream; terrorists come to destroy it. We should not allow America's tradition of welcoming immigrants to become yet another casualty of September 11.

Mr. SENSENBRENNER. Madam Speaker, I yield myself the balance of the time.

Madam Speaker, I would like to respond to two of the points that have come up during this debate, first with respect to the comments on section 245(i) made by the distinguished gentlewoman from Texas (Ms. JACKSON-LEE). The House of Representatives has passed 245(i) legislation twice, once in May of last year and once in March of this year. The second passage of the 245(i) legislation was coupled with the same visa security and Border Patrol legislation that we are discussing here today.

□ 1815

The Senate, however, chose to pick this bill without 245(i), without the other bill which had 245(i) in it. That is why we are debating a 245(i)-less bill today. So the decision to hold up 245(i) this time does not rest with the House of Representatives, but, unfortunately, with the other body.

Secondly, with respect to the comments on student visa tracking made by the distinguished gentleman from Pennsylvania (Mr. GEKAS), he is absolutely right on that, but I would like to amplify the point that he made with one other fact.

Much was said about the fact that Mohammed Atta and one of the other September 11 hijackers had their student visas approved by the INS 6

months after they died flying planes into the Twin Towers in New York City. But the really shocking statistic was not that, it was the fact that the student visas were approved 13 months after these two terrorists graduated from flight school. The purpose for which the student visas were applied for had been fulfilled, and they should have left the country promptly after their course of study was concluded. They did not, and the rest is history, and over 3,000 people died as a result of that.

What this legislation does is that it provides a student visa tracking system so if someone enters the United States on a student visa and either does not show up at school, drops out of school, gets kicked out of school, or graduates from school, then the INS will know about it and take the appropriate action to make sure that those students return to their home countries.

Had this type of a system proposed by this bill been up and functional on September 11, Mr. Atta and his conspirator would not have been in the United States to go to an American airport to hijack two American planes and to kill thousands of people.

That is why it is important that this bill be passed, so that future Attas who wish to exploit the weaknesses in our visa system and to abuse the hospitality that is extended to them by the American people at American institutions will no longer be able to do so. I urge the House to concur in the Senate amendments.

Mr. ORTIZ. Madam Speaker, as co-chairman of the House Border Caucus and a representative of South Texas, I rise in support of H.R. 3525, the Enhanced Border Security and Visa Entry Reform Act and thank the House for moving this bill so quickly after Senate passage.

It is an important bill for the security of the nation—and my district sits square on some of the real estate most affected by our border policies. It ensures safety for the people within this country's borders and provides the tools necessary to the U.S. Customs and the Immigration and Naturalization Service to better serve the American people.

Most importantly for the taxpayers in my district, the bill also has a provision to extend the border crossing card deadline for residents along the Southwestern border of the United States. This extension will provide a much-needed boost to the economies that have suffered since the tragic attacks of September 11th.

After the attacks, Congress stopped work on a stand-alone bill with bi-partisan support to extend the deadline for one year to October 1, 2002. With the extension in today's bill, until Oct. 1, 2002, consumers whose lives transverse the border can conduct business normally again. Regular border shoppers can—after we finish this bill—use their border crossing cards to go to school, to go to work, to go shopping, or visit their families. They can once again participate in the border economy.

The Southwestern border is vitally important to the United States. It is the gateway to the United States from Latin and South America. It is the port-of-entry for one of our most valued trading partners, and it represents the rich diversity of immigrants on which this country was founded. This bill is an excellent first step in recognizing that fact.

The Southwestern border, according to a recent U.S. Chamber of Commerce report, has a population of 6.2 million people in the U.S. and approximately 4.3 million people in Mexico. The buying power of border residents is immense and the economy of South Texas depends on their participation in our marketplace. In my district alone, 75–80% of Brownsville's downtown retail sales normally come from people crossing the border.

Since September 11th this number has dropped. This same report also cites the border crossing card deadline as one of the main reasons that fewer people are crossing the border. The economic effects of the attacks in September were bad for the country; they were devastating for the Southwestern border.

Mr. SENSENBRENNER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 3525.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 6:30 p.m.

Accordingly (at 6 o'clock and 18 minutes p.m.), the House stood in recess until 6:30 p.m.

□ 1830

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN) at 6 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 2911, by the yeas and nays;

House Concurrent Resolution 271, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

HARVEY W. WILEY FEDERAL BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2911.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 2911, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 402, nays 0, not voting 32, as follows:

[Roll No. 127]

YEAS—402

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Goodlatte
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kerns
Kildee
Kilpatrick

King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—32

Ackerman
Baker
Blagojevich
Bonior
Brown (OH)
Burton
Buyer
Carson (IN)
Costello
Crane
Davis (FL)
Fossella
Gutierrez
Hunter
Jones (OH)
Kind (WI)
Kingston
Mollohan
Ose
Price (NC)
Pryce (OH)
Riley
Rothman
Sawyer
Souder
Taylor (NC)
Traficant
Udall (CO)
Visclosky
Watkins (OK)
Waxman
Weiner

□ 1857

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FOSSELLA. Mr. Speaker, on rollcall No. 127, I was inadvertently detained. Had I been present, I would have voted "yea".

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the second motion to suspend the rules on which the Chair has postponed further proceedings.

SENSE OF CONGRESS REGARDING PUBLIC AWARENESS OF THE IMPORTANCE OF HEALTH CARE EDUCATION AND HEALTH CARE COVERAGE MONTH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 271.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Mrs. WILSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 271, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 1, answered "present" 1, not voting 30, as follows:

[Roll No. 128]

YEAS—402

Abercrombie
Aderholt
Akin
Allen
Andrews
Armey
Baca
Bachus
Baird
Baker
Baldacci
Baldwin
Ballenger
Barcia
Barr
Barrett
Bartlett
Barton
Bass
Becerra
Bentsen
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Borski
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (FL)
Brown (SC)
Bryant
Burr
Callahan
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Carson (OK)
Castle
Chabot
Chambliss
Clay
Clayton
Clement
Clyburn
Coble
Collins
Combest
Condit
Conyers
Cooksey
Cox
Coyne
Cramer
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (CA)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal
DeFazio
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart
Dicks
Dingell
Doggett
Dooley
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Ehrlich
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank
Frelinghuysen
Frost
Gallegly
Ganske
Gekas
Gephardt
Gibbons
Gilchrest
Gillmor
Gilman
Gonzalez
Goode
Gordon
Goss
Graham
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grucci
Gutknecht
Hall (OH)
Hall (TX)
Hansen
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hill
Hilleary
Hilliard
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley
Horn
Hostettler
Houghton
Hoyer
Hulshof
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
King (NY)
Kirk
Kleczka
Knollenberg
Kolbe
Kucinich
LaFalce
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Luther
Lynch
Maloney (CT)
Maloney (NY)
Manzullo
Markey
Mascara
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Millender-McDonald
Miller, Dan
Miller, Gary
Miller, George
Miller, Jeff
Mink
Moore
Moran (KS)
Moran (VA)
Morella
Murtha
Myrick
Nadler
Napolitano
Neal
Nethercutt
Ney
Northup
Norwood
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Payne
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Pomeroy
Portman
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reyes
Reynolds
Rivers
Rodriguez
Roemer
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Roybal-Allard
Royce
Rush
Ryan (WI)
Ryun (KS)
Sabo
Sanchez
Sanders
Sandlin
Saxton
Schaffer
Schakowsky
Schiff
Schrock
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shows
Shuster
Simmons
Simpson
Skeen
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stump
Stupak
Sullivan
Sununu
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Thune
Thurman
Tiahrt
Tiberi
Tierney
Toomey
Towns
Turner
Udall (NM)
Upton
Velazquez
Vitter
Walden
Walsh
Wamp
Waters
Watson (CA)
Watt (NC)
Watts (OK)
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NAYS—1

Paul

ANSWERED "PRESENT"—1

Kerns

NOT VOTING—30

Ackerman
Bereuter
Blagojevich
Bonior
Brown (OH)
Burton
Buyer
Carson (IN)
Costello
Crane
Davis (FL)
Goodlatte
Gutierrez
Hunter
Jones (OH)
Kind (WI)
Kingston
Mollohan
Ose
Price (NC)
Pryce (OH)
Riley
Rothman
Sawyer

Souder Udall (CO) Watkins (OK)
Traficant Visclosky Waxman

□ 1906

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR THE DISPOSITION OF H.J. RES. 84, DISAPPROVING THE ACTION TAKEN BY THE PRESIDENT UNDER SECTION 203 OF THE TRADE ACT OF 1974 TRANSMITTED TO THE CONGRESS ON MARCH 5, 2002

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107–447) on the resolution (H. Res. 414) providing for the disposition of the joint resolution (H.J. Res. 84) disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002, which was referred to the House Calendar and ordered to be printed.

OFFICER MARLENE LOOS NAMED OFFICER OF THE MONTH

(Mr. GRUCCI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRUCCI. Mr. Speaker, I rise today in honor of Suffolk County Police Officer Marlene Loos, who was recently named the Officer of the Month by the National Law Enforcement Officers Memorial Fund. Marlene Loos epitomizes the bravery of the men and women who patrol our streets, serve our neighbors, and protect our children day and night.

On the morning of December 10, 1998, while responding to a 911 call, Officer Loos was shot point-blank in the chest. After struggling to her feet to try and protect people surrounding the incident, she was shot again in the arm. Despite being shot twice, Officer Loos was able to cover a bystander with her own body, hoping that her body armor would protect them both.

Fortunately, Officer Loos was able to survive the attack on that December morning. Coming from a family of police officers, she continues to serve our community on Long Island, and I am extremely proud to have her as my constituent.

Mr. Speaker, I ask my colleagues to join me in congratulating Officer Loos on this recent honor and thanking her and her fellow officers for protecting and making our communities safe throughout this Nation.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DUNCAN). Under the Speaker's announced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

J–1 VISA WAIVER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I come to the House floor this evening to express my opposition to the termination of the J–1 visa waiver program.

Currently, foreign medical graduates are allowed to come to the United States on a J–1 visa for up to 3 years to train in accredited residency programs in rural underserved parts of the country. The impetus behind accepting physicians from other countries, foreign medical graduates, and training them in American residency positions is to attract physicians to provide care to the medically underserved who live in rural areas where doctors trained in the United States do not want to practice.

Mr. Speaker, the law states that once a residency program is complete, the doctors are required to return to their country of origin for 2 years. However, the government has the authority to waive the requirements if it is in the United States' interest to keep the physician here. The U.S. Department of Agriculture's Rural Development Branch was thrilled by the waiver because it provided the opportunity to retain medical trainees who would continue to serve in typically medically underserved communities in rural America.

But, Mr. Speaker, unfortunately, in the past few weeks, the USDA has indicated an intention to stop granting such permission under the J–1 visa waiver program. Although it is clear there is a lack of sufficient health care in rural America, and although it is clear that qualified physicians from abroad are willing to come to the U.S. to serve in these medically lacking communities, nevertheless, the government has proposed to end this program entirely.

Mr. Speaker, since September 11, national security concerns have taken hold and new extensive background checks have been put in place. The USDA claims the extra money required to implement background checks on foreign medical graduates would be too burdensome and therefore the program must end. Currently, there are approximately a little more than 80 applications for the waiver that are still pending, and after these applications have been processed, the program is slated to end.

Mr. Speaker, I believe that there is not justification for the cessation of the J–1 visa waiver program. Terminating this program and preventing qualified physicians from serving communities in America that lack sufficient health care does our country a great injustice. Mr. Speaker, stopping the granting of these waivers is unacceptable, and I would ask that the USDA reconsider, and that we do whatever we can, myself and my colleagues, to prevent this valuable program from ending because it is so important to rural America and to the health care of Americans in rural areas.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Mr. GIBBONS) is recognized for 5 minutes.

(Mr. GIBBONS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

PERSONAL EXPLANATION

Mr. JOHN. Mr. Speaker, I am not recorded on rollcall vote number 126. I was unable to make that vote at the time. Had I been here I would have voted ''yes'' on that rollcall vote, and I would like that to be reflected in the CONGRESSIONAL RECORD.

TRIBUTE TO PAUL FACCHINA, AN EXTRAORDINARY CITIZEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, a week and a day ago, Charles County, Calvert County, and Dorchester County in Maryland were hit by a tornado. Mr. Speaker, I rise today to bring to your attention a truly remarkable individual from my district who is helping us respond to that tornado.

As you know, Southern Maryland was recently devastated by what is believed to be the second most powerful tornado ever to hit the East Coast. It is tough times like these, Mr. Speaker, that brings out the best of what America has to offer, for those who have lost a great deal themselves rise to the occasion to help others who are in need.

Mr. Paul Facchina is a tremendous example of one such extraordinary person who heads up a company peopled by extraordinary individuals. Mr. Facchina owns and operates Facchina Construction in LaPlata, Maryland. That small town in Charles County completely lost 48 businesses in the matter of minutes that the tornado took to pass through. Lawyers' offices, banks, convenience stores, fast food restaurants, grocery stores, a lumber yard, all destroyed.

Mr. Paul Facchina's company was among those that were decimated, and he has every intention of rebuilding a

brand new headquarters, which he happened to have already planned just across the street from the one that was destroyed. And though he and his employees are busy finalizing plans for the new building, while at the same time cleaning up the old, he did not forget about those other businesses in LaPlata that were destroyed and put out of business.

□ 1915

Instead, Facchina Construction began work on a ''temporary town center'' just hours after the powerful F5 tornado ripped through the county.

Recognizing the devastation that loss of customers could mean to his neighboring small businesses, Paul Facchina acted quickly to create a 2-acre home for them on company property in the center of LaPlata's business district. This temporary town center will consist of 21 office trailers, complete with utilities and a paved parking lot to accommodate any LaPlata business that was displaced by the tornado. On Friday after Congress adjourned, I was on the Facchina construction site. It was amazing what they had done in the 4 days since the tornado hit, plumbing being installed, pads being prepared.

And what does Mr. Facchina ask for in return for his generosity, the generosity of his company and his people? Nothing more than what a business can afford to pay. If they are not doing any business because they have been blown out of the water, so to speak, they will not pay anything. Otherwise, they will pay a commensurate lease.

Facchina Construction is no stranger to disaster response. The company was on site at the Pentagon on September 11, and crews were involved in the subsequent rescue and recovery of people in the Pentagon. Facchina headed up the restoration of the damage to the Pentagon and recently completed the project 3½ months ahead of schedule. They made it clear to the world that we have healed our physical wounds and are moving ahead with the business of this country.

Mr. Speaker, there are those who say that capitalism inevitably creates a dog-eat-dog world in which only the strong survive. Mr. Speaker, I offer to them the example of Facchina Construction and Mr. Paul Facchina. In a time of turmoil, we rely on people like this to remind us what America is about and to tell those whose lives have been turned upside down that everything will be okay.

The author said in a ''Tale of Two Cities'': ''It was the best of times, it was the worst of times.'' Sunday, 7 p.m. a week ago was the worst of times in LaPlata, Maryland. We lost five people to that tornado; but Paul Facchina and his people and neighbors, neighbors who had been hit by the tornado, neighbors whose houses had been spared, businesses hit by the tornado came out into the streets right after that tornado passed to help their neighbors, help their community say that they were not going to be defeated by nature, as we have not been defeated by terrorists.

Mr. Speaker, we all owe a debt of gratitude to these courageous people.

4–H IS PREMIER YOUTH DEVELOPMENT ORGANIZATION

The SPEAKER pro tempore (Mr. DUNCAN). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, as a young person growing up, I had the good fortune to be a member of a 4–H club, and I rise today to recognize the centennial of 4–H clubs as one of our premier youth development organizations. Indeed, 4–H accomplishments over the past 100 years have helped developing youth to become productive citizens and are a catalyst for positive change, to meet the needs of a diverse and changing society.

Through the tireless efforts of 4–H over the past 100 years, and its sponsorship of numerous programs dedicated to developing our youth, the world is a better place. I applaud 4–H's history, and herald its future.

In the last 100 years, millions of 4–H members have raised their hand to recite the pledge: ''I pledge my head to clearer thinking, my heart to greater loyalty, my hands to larger service, and my health to better living for my club, my community, my country and the world.''

These words have been a blueprint for success. Millions of members have also lived by the 4–H motto: ''To make the best better.'' Although the 4–H pledge and motto have remained basically the same over the decades, the 4–H movement has constantly sought diversity, both in its programs and participants.

Over the last 100 years: In 1902, A.B. Graham, superintendent of schools in Clark County, Ohio, organized a boys' and girls' agricultural club in Springfield Township.

1903 saw the development of corn clubs.

Pig clubs were later introduced, as were canning clubs.

Federal-State-county programs began to develop, and the Smith-Lever Act of 1914 established the Cooperative Extension Service, of which 4–H is a component.

During the 1920s and 1930s, 4–H expanded to Europe. World War II saw active participation of 4–H in the war effort. ''Food for Freedom'' was the slogan, and 4–H'ers were responsible for increased agriculture production.

Following World War II, international exchange programs were furthered in Europe, as well as Asia, Africa, and Latin America.

The decades of the 1960s and 1970s saw increased emphasis on participation by minorities and disadvantaged youth. In 1966, a national workshop was held in Chicago to expand 4–H for disadvantaged youth in both rural and urban areas.

In the 1980s and 1990s, 4–H focused heavily on Youth at Risk, highlighting school-age child care and education, community programming, and development of literacy and technological literacy.

4–H programs now span the gamut, touching on critical areas of our world: the environment; health, wellness and safety; workforce preparation; youth decision-making; biotechnology in agriculture; and community building.

I have been struck by the impact of these programs over the years and want to commend the University of Illinois and its agricultural extension programs. Not only are their 4–H clubs actively involved in rural communities, but its urban programming has been significant and productive.

Yes, indeed, 4–H'ers have indeed helped to improve the quality of life and to make a better world. So we proudly say when we pledge: ''I pledge my head to clearer thinking, my heart to greater loyalty, my hands for useful service, for better living, for myself, my club, my country and for the world.'' Congratulations to a great movement, the 4–H Club.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

BLUE DOG DEMOCRATS AND FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Louisiana (Mr. JOHN) is recognized for 60 minutes as the designee of the minority leader.

Mr. JOHN. Mr. Speaker, I am very happy to be here tonight for the next hour to talk about something that is very important to a group of individuals that I like to coalesce around here, and that is the Blue Dog Democrats.

Before I get into talking about some of the substantive things that I would like to speak about tonight, mostly fiscal responsibility, I would like to give an overview who are the Blue Dog Democrats. Members might have heard several times about our group and how active we are, but we are a group of 33 individual Members of Congress from all over the country. We come from California. We have a Member from New York, a couple of Members from Georgia and Tennessee and Texas; but we come from all over the United States geographically. But what brings us together, what has brought us together and what has really gained us a lot of credibility in this body is our focus on fiscal responsibility.

We meet every week and we talk about different issues, but we do not

get involved in issues that split us apart, that we might not be able to get a consensus on. The Blue Dogs, when we are talking about an issue, when we take an issue, we go for it in a fiscal angle and a fiscal angle only, and that is the common thread amongst all of the Blue Dogs; and I am happy to be here tonight, along with several of my colleagues, to talk about a situation that we find ourselves in that, frankly, a year ago none of us thought that we would be in.

Last year when we debated the budget, the Blue Dogs warned, and we were precluded by the majority from offering our own budget. I thought Americans in their businesses and in their families would go through the same process that the Blue Dogs went through. It was a good budget with a plan to bring some fiscal sanity and some fiscal stability in the outyears.

But yet projections were that we were going to have a $5 trillion-plus surplus over the next 10 years. Frankly, the Blue Dogs did not buy that. We bought it as deeply as we could define projections, and we looked in the dictionary and we looked at projections, and Members know what it says. It is just that. It is numbers put together, and with reasonably good accuracy or with educated people putting them together, but they were just that. They were projections.

Of course, we find ourselves now facing a situation of 180 degrees opposite. Not only are we not talking about a surplus, and that is really the funny thing as some of our Blue Dogs would like to talk about, the fight was over on where we were going to spend this $5 trillion. We stayed focused in that fight, not about where we were going to spend that $5 trillion projected surplus, but how we were going to handle it. Our cry back then was paying down the national debt.

Mr. Speaker, the national debt accrues every minute that I speak, every day that goes by at astronomical numbers, numbers that we cannot envision back in south Louisiana. We have over a $5 trillion debt that we owe this country. We pay over $2 billion a year in interest on that debt, not principal, interest on that debt. Prior to the plus-ups of the military budget of the past few months, it was almost as much money as we were spending on defending the country is what we were paying on our debt. So the Blue Dogs wanted to spend that money, and one-third, one-third, one-third was our program. One-third for paying down the debt, one-third for tax cuts because we were for tax cuts. We thought that was healthy for the economy, and one-third for spending priorities, priorities that were important to us: prescription drugs, our military, education and other important domestic programs that are so important to the infrastructure of this great country.

□ 1930

That was our plan. That plan was spending a third, a third, and a third. We were not successful in convincing the other side that this was the way to go. And so we have sat back and tried to revamp our plan under the new scenario that we live in today. Needs have arisen. Needs have arisen from a fiscal standpoint that we would not have even dreamed of just a few 8 months ago. We need to take care of those needs. We are spending billions of dollars.

I make no apology about voting for not only the money that we have spent in bailing out the airlines but the money we have spent in homeland security, the money we have spent on border patrol and to our law enforcement agencies all across the country. That is something we have to do. But now that we have committed ourselves to doing that, I think it is more important than ever that we put together a plan, some blueprint, some master business plan that we can follow. We are a ship afloat today without a fiscal plan.

Frankly, it makes me very nervous, it makes the Blue Dogs extremely concerned, and frankly it should make the American people a little concerned about what we are doing today in spending the money that we frankly do not have, that our surplus has gone away. We live in a credit card society. The scenario we find ourselves in today, imagine that I as a parent with my twin boys would run up thousands and thousands of dollars of credit card bills and pawn them off to my 3½-year-olds. That is what we are doing. That is how we are treating Social Security today. That is why it is important that we have a plan.

The Blue Dogs came together and put together what we think is a very elementary plan, a plan that I think works for the future of this country and a plan that really brings back what we had going in the first, the middle and the latter part of this century. We were actually running surpluses in this country, running government and actually having surpluses and we could afford to give a tax cut. We could afford to make sure that we were taking Social Security off-budget.

I do not know how many times I voted, but I know that it was more than a half a dozen of times that we voted in our Social Security lockbox. Frankly, the key has been found and we have been raiding Social Security to pay for some good expenditures but also for some other expenditures and spending that we need to get a handle on.

Let me list some of the things that we have been spending money on, and they are some good programs. Our agricultural bill, our bill passed this body last week to the tune of, oh, $73 billion, which passed out of this bill. The energy bill that is in the process has tax implications and cost. The Department of Defense authorization bill that we are going to do tomorrow comes at a high price tag, and the supplemental appropriations bill that we are going to deal with next week of $29 billion. Are all these dollars that we are spending going to good causes? Yes, they are. But we cannot continue to spend and spend and tax cut and spend with no plan.

That is what I am here tonight for and that is what you will hear from the Blue Dogs that are going to talk a lot about our plan, our vision, are some kind of blueprint that we can bring ourselves back on a course, a glide path to balancing our budget, not with Social Security, to making a commitment to paying down our debt because that is so important. That is what this plan is all about. The Blue Dogs, we like to call it our ABCD plan. It is not a plan that just has a facade. It is a real plan with real legislation. I am going to highlight them very quickly, then I am going to turn over some time to my friend from northeast Texas to talk about some of these issues.

First, A, assure honesty and accountability. Enforcing the budget rules that we have today would be a very nice way to start. We have a budget. It is a nonbinding budget, but we have a budget. But we do not enforce that. We do not even look at it, to be honest with you. We have a huge fight, this side against that side, this body against that body about where we should put our money. And then once we all fight about it and it passes, the majority normally wins in this body. Then we just kind of throw it in a corner and we go on about all the other things that we intend to do and do not really blow the dust off our budget and really abide by that. So I think that that is the first thing we ought to do. The gentleman from Indiana (Mr. HILL) introduced a piece of legislation to be able to do that.

How about pay-go rules? That is the jargon up here in the Congress that may go right over the head of some people, but it is really simple. Pay-go rules basically say that you cannot spend a dollar unless you have a way to pay for it. That does not seem to be very difficult to do when we in our households, in our budget and our businesses that we put together, we figure out a way to pay for it before we spend it. I think that that is important. That is A.

B is balancing the budget without raiding Social Security, something that this body has voted on many times, something that I really truly believe in my heart that this body wants to do. We want to make sure that we can balance our budget without Social Security. We did that for the last few years. But we are headed on a path to be able to raid the Social Security Trust Fund again and again.

The gentleman from Arkansas (Mr. BERRY) has introduced a bill, a constitutional amendment, which we hope that we can get a vote on this floor, that will basically amend the Constitution to require a balanced budget. It will also make sure that Congress needs a three-fifths vote to approve a

deficit or raise the debt limit. That is a whole other special order hour I think we can talk about, and doing all of that without including the Social Security Trust Fund, a constitutional amendment. Every American in this country would be for that. That is B.

C is climbing out of the deficit ditch. The debt limit was put there for a purpose, to put handcuffs on Congresses, past and future, that they cannot borrow just up to whatever the debt limit is. You get to a debt limit and it is sort of like the credit card limit on your car. If it is a thousand dollars, when you get to a thousand dollars, you cannot use that card anymore. That is what the debt limit does. The gentleman from Kansas (Mr. MOORE) basically has a piece of legislation that is going to deal with the debt limit, making sure that we abide by the debt limit.

Finally, I will end on D, something that is so simple I cannot believe that we cannot come to an agreement on trying to make this happen. If it takes a supermajority to raise taxes, why should it not take a three-fifths majority to borrow money? So if we are going to borrow money over the debt limit or borrow more money, this body should have a three-fifths vote to be able to do that. That is D.

That is the Blue Dogs' ABCD plan that we have put together. Of course, the D plan with the supermajority to borrow money is a piece of legislation that was introduced by the gentleman from Tennessee (Mr. TANNER). These three very simple but very important budget guidelines are something that we should enact, they are something that the Blue Dogs are going to continue to push because now is the time that we need to put a plan together. We are a Nation at war and we understand that and we are funding that, to the brave men and women around the country that are fighting the war for the freedoms to let me speak up here in the well, to let you watch this on C-SPAN, to let you do whatever you want to do and enjoy the freedoms. We are funding that. But we need a plan. We cannot continue, not today, not this hour, not next week without some kind of plan from a fiscal standpoint of how we climb out. Every economist in the world is telling us that we are going to be spending money and we are going to be running deficits.

In fact, let me draw attention to an article that was in the USA Today yesterday that talked about the debts and the looming fiscal crises that this Congress is going to have to face. It is a very good article. It is called ''Fiscal Discipline Falters As Budget Deficit Grows.'' The gentleman from California (Mr. SCHIFF), a Blue Dog member, the gentleman from New York (Mr. ISRAEL) a Blue Dog member, sent out a Dear Colleague asking everyone to read this. This is what it is all about. I think they did a wonderful job at laying out exactly what has happened and not playing the blame game, not blaming any one particular spending item or tax cut or the economy. It is a whole market basket of things that we have to deal with to climb our way out of it. But we cannot turn our back on it. We must have a plan. We must have a vision. That is what this plan seems to do.

With that, I will turn over as much time as he may consume to my friend the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Speaker, I thank the gentleman from Louisiana and all the members of the Blue Dogs for working so diligently on the issue of fiscal responsibility. That is what our group is about. We can have many differences of opinion in the United States Congress. We can have differences of opinion regionally within the parties, but the Blue Dogs focus completely on fiscal responsibility for our Nation. We believe that it is important that if we want to address issues in the country such as Social Security, Medicare, education, making sure that our veterans are taken care of properly, making sure that we finance the war against terrorism properly, that we have a firm financial footing, a firm financial base, and that we have a plan in effect for taking care of those obligations of the United States Government. The Blue Dogs are committed to doing that in a fiscally responsible way, which means things such as investing in areas that are important and taking care of the country's debt.

As the gentleman from Louisiana mentioned, our debt is continuing to run at an alarming rate. It is imperative upon us in the United States Congress to address the issue of debt while we continue to operate the government in a prudent manner.

As was mentioned, the Blue Dogs have a plan called the ABCs. The ABCs are something we talk about in elementary school. It really is elementary. Much of this is elementary. All we are asking is that we operate the United States Government in much the same way that Americans operate their homes and Americans operate their businesses. It is important to know what revenues are available, it is important to know what obligations are out there, and it is important to plan for unanticipated obligations. And so we have developed a plan called the ABCs. Some call it the ABCDs. We are promoting that in the United States Congress as a way to promote a plan to get us on a firm financial footing.

One of the things that we think is imperative is that we keep our commitment to senior citizens and that we maintain Social Security inviolate, that we do not use the Social Security trust funds for any purpose other than for Social Security.

Originally the Blue Dogs came up with a plan that we felt should be supported by the entire United States Congress, because it made a lot of sense. Of course, as we know, that is not always the test in Washington. Something that makes a lot of sense is always suspect. But our first and our initial approach at a concerned and conservative and fiscally responsible budget was to take the Social Security trust funds completely off-budget, completely off-budget, not to be used for any other purpose.

Next we wanted to look at what I call for discussion purposes the operating budget of the United States Congress. We wanted to take the operating budget, look at it and determine if we had an operating surplus. With that operating surplus, we wanted one-half of that surplus to go immediately to the country's debt, to pay down the obligations that this government and this country have already incurred. We wanted one-fourth, then, to go to tax relief for American families. American families work hard. American families pay taxes. American families try and invest in their families, in education, in their senior citizens. We felt one-fourth available for tax cuts would help American families. Then the remaining one-fourth would be used for investment in critical areas such as agriculture, education, veterans, unanticipated expense such as we are facing right now with the war on terrorism.

Later as our policy developed, as the gentleman from Louisiana mentioned, we talked about a division of one-third, one-third, one-third. But most of our pleas have fallen on deaf ears. Most of the time people in this body are not willing to make a plan. We vote independently. Each vote is independent. There is no long-term plan. There is no matching of revenue and obligation, and fiscal responsibility seems to take a back seat.

Last year we were facing surpluses as far as the eye could see and we were worried last year, believe it or not, about paying off our debt too quickly.

□ 1945

Now, in less than a year's time, we have seen a dramatic reversal of this once promising budgetary outlook, and we now face a projection of deficits and increasing debt for the rest of the decade. These are debts that we will be placing on the backs of the children of this country.

Now, obviously some of this is due to the economic slowdown; some is due directly to the September 11 disaster; some is due to the continuing expense of the war on terrorism. But regardless of the source of these deficits, Congress and the President need to sit down, roll up our sleeves and have an honest discussion about what we need to do to get our budget back in order, to bring fiscal responsibility to the United States. If we do not, we risk burdening our children and our grandchildren with the consequences of today's irresponsible budgetary decisions.

Further, we risk jeopardizing Social Security and Medicare, a critical and important source of security for our senior citizens.

Now, the Blue Dog Coalition has outlined four solutions to the budget problem, as mentioned by the gentleman

from Louisiana, and I am not going to go into those in any detail since he has mentioned them, but it is an elementary approach to fiscal responsibility. I think it is important, as the gentleman said, to look at pay-go, the pay-as-you-go or the pay-go rules which expire this year, and we would renew and extend the pay-go rules by establishing new 5-year discretionary caps, with separate caps for defense and nondefense spending. It would also require that any increases in mandatory spending be offset. We believe it should be more difficult to delay costs outside of the 5-year budget windows, thus making sure that we truly understand in the Congress and account for the costs of the legislation that we as a Congress are passing. That is responsibility. We need to know what the legislation that we pass costs and how it will be paid for. What could be any more elementary than that?

Now, as part of the ongoing honesty, and assuring honesty and accountability, we would require that the President conduct a thorough review of the war on terrorism and the costs associated with homeland security, and we would be willing to work with the President on plans in that way.

A is for accountability, as was mentioned, and we believe that we have to provide a framework, we have to be accountable, we have to show that the Federal Government can ensure and promise that the government is not jeopardizing the future of the children of this great Nation.

B is for the balanced budget. If we really want to get our fiscal house in order, if we are serious about this in the United States Congress, we need to start by requiring the President to submit to the United States Congress a balanced budget, and that balanced budget importantly has to include this feature for America. We need to balance the budget with a budget that does not tap into the Social Security Trust Fund, period. We have to get that done.

Now, our balanced budget proposal recognizes that in times of war or other threats to national security, sometimes it is necessary for the government to temporarily run budget deficits to ensure the safety of our Nation, the safety of our citizens, to make sure that our servicemen and service women across the world and across this country are provided for properly; that they have the best technology, the best equipment, the best training, the best leadership, the best that we can provide for our freedom fighters all across the world. Now, no cost is too great, but we cannot abandon the promise we made to senior citizens.

Mr. Speaker, senior citizens built this country. They have survived World War I, the Great Depression, World War II, Korea, Vietnam, the Persian Gulf. They have built this country, and they have seen good times and bad. They have lived the American dream. They get up in the morning, they make a sandwich and they put it in a pail and they go to work and they make a product that is put out in the market that supports this great economy, sends our kids to school and supports our senior citizens. We need to reward people in this country that work hard and play by the rules. We tell people, ''work hard, play by the rules, be responsible,'' and now it is our turn to be responsible and make sure that when those folks do that, that we do not abandon our senior citizens, the very people that made this country great and turned over to us the freest and best society that the world has ever seen.

Now, this year the President has pushed a budget that claims to be in balance, only because it taps into the Social Security and Medicare Trust Funds. That is the only reason it is in balance. I believe that to be irresponsible. We cannot balance the budget on the backs of senior citizens.

We believe that it is our fiscal responsibility to raise the debt limit only if we have a plan, only if we have a plan. Mr. Speaker, it is not irresponsible to say, before raising the debt, before making that decision, let us identify where we are, let us identify where we are going, the goal that we need to reach, why we need to get there, how we need to get there, and how we are going to get out of it. That is a plan. While certainly it might be necessary to do that, we want a plan and we would support raising the limit only if we had a plan.

Now, Congress will review budget estimates from CBO, the Congressional Budget Office, in August, and using those budget projections, we would require the President to submit a new budget to the Congress that balances the budget within 5 years without using the Social Security surplus. That is a part of the plan. Do we need to raise the debt, the debt ceiling, the limit? Maybe, if we have a plan. Do we need to look at all of the numbers from the Congressional Budget Office? Certainly, we do. And we need a budget that does not invade Social Security.

Last year, or I guess it was in 1997; it seems like last year, but in 1997 we passed the Balanced Budget Act. It was a great bipartisan effort. We had people from both sides of the aisle, Democrats and Republicans, from all regions of the country supporting the Balanced Budget Act and the Taxpayer Relief Act of 1997. It was a great bipartisan victory for this House. At the time the whip on the other side of the aisle said that we need, from the beginning of this Congress, that we want to negotiate with the President, but we cannot negotiate with a President who does not want a balanced budget.

I think that was wise and sage advice, and we hope that wise and sage advice will continue now as we negotiate with the administration and say, we want to negotiate, but we want to negotiate with someone that wants to balance the budget and we want to balance the budget without invading Social Security and Medicare. We agree with that approach.

The House, as was mentioned, is going to look at the possibility of raising the debt limit and borrowing more money, as the gentleman from Louisiana mentioned, and we propose a supermajority, or a three-fifths vote, as the gentleman indicated, for such an action. We believe that to be reasonable, we believe that to be proper, and we believe that to be the way that this House can focus on the seriousness of that issue. We hope that the Congress will take that matter of increasing the debt very seriously.

Finally, let me mention one other thing that D could stand for, other than what the gentleman from Louisiana mentioned. D is for debt prevention. Not only do we need to reduce debt in this country and pay off our debt and be responsible, we need to prevent debt in the future. We cannot overstate the importance of taking care of our responsibilities and getting our fiscal house back in order. The principles that were outlined by the gentleman from Louisiana and the other Blue Dogs that have worked so hard on this issue would help rein in fiscal responsibility and ensure that we secure our children's future.

Mr. JOHN. Mr. Speaker, I thank the gentleman from Texas for laying out very eloquently the position of the Blue Dogs and also for giving a little background of where we need to go. The underlying message is that we need a plan, and the Blue Dogs have this plan.

Mr. Speaker, I yield now to the gentleman from Illinois (Mr. PHELPS) to talk further about the Blue Dog plan and our position.

Mr. PHELPS. Mr. Speaker, I thank the gentleman from Louisiana, and I thank the gentleman from Texas who just spoke. I wholeheartedly agree with my colleagues here this evening. While we may be repeating some of the same concepts and principles that we believe wholeheartedly in as an organization, the Blue Dogs, I hope folks take it within their consideration, because if we do not repeat what is important over and over, sometimes it is not taken in as it should be, so forgive us if we become too repetitive, but we are trying to do our best to emphasize what is important.

We are here tonight when Congress is out of session; we have adjourned for the night. But we have continued to try to be here, missing our dinners and other social events that we, quite frankly, like to go to and get some business done too, but we believe enough in what we are emphasizing tonight to sacrifice that time to make sure, before this session is over and this Congress adjourns for the year, that we have done our best to try to indicate to the American people the true picture of the situation and how we think it should be resolved.

So, Mr. Speaker, I want to thank my fellow Blue Dogs for their comments and for giving me this opportunity to speak out on such an important issue. I want to focus my time in discussing the Blue Dog plan for putting the budget back in order, starting with fiscal discipline. The Blue Dogs have consistently focused on fiscal discipline, having advocated honesty and responsibility in the budgeting process.

When Congress considered the budget last year, the Blue Dogs warned of the danger of making long-term commitments for tax cuts or new spending programs based on projected surpluses, really unrealistic projection of surpluses. In less than a year's times, here we have a dramatic reversal of the once promising budgetary outlook. We now face projections of deficits and increasing debt for the rest of the decade that go far beyond the temporary impact of the economic downturn or cost of the war on terrorism. Congress and the President need to sit down, have an honest, open discussion about what we need to do to put the budget back in order, starting with the ABCs of fiscal discipline, which is what we are trying to outline tonight.

My wife and I have raised four lovely children. We still have our youngest at home, who is just finishing his junior year at the University of Southern Illinois, the university that both my wife and I have graduated from, and he is taking his exams this week, so I hope he is out there studying. Our three daughters are married and working. My wife and I worked very hard in trying to communicate to our children, and through an example ourselves, how we ran the household when they were able and old enough to observe and know what was going on, and we reiterated over and over to be very careful on how you develop your spending habits. You do not squander what you do not have. You do not promise your friends and other people you will participate in activities when you know you do not have the means to participate. These are tough lessons in life, probably the toughest, but I am happy to say that they are fiscally responsible young people.

So I feel like my wife and I have been somewhat successful at this point. We know that some of the problems in marriages can stem from financial problems, and unless you work as a team as a married couple, committed to making and meeting your debts, and working and raising the money to meet your expenses, as part of growing stronger together and building an economy of your own, that also transfers into the economy of your community, of your State and of your Nation. How you are going to pay for the most important things, the priority things, the necessities, your utility bills. One cannot live without water and power and transportation to travel back and forth to work. Take care of those things first, the necessities. That is what we taught, and I am happy to say they were intelligent enough and cooperative enough to be young people that have come now to be young married couples, soon to teach their children, and I have one grandchild, who will be learning, as he is four years old now.

As a legislator, I travel and talk to schools and am a former teacher, and my wife is a teacher. Our family has invested heavily in education. One of the things I try to emphasize when I am talking to young people, students, is I am trying to explain who I am as a Congressman. I am a legislator; I am a law maker. I legislate.

□ 2000

To legislate, what does that mean? The proper definition, if we will look it up, is to transfer the public's will into public policy.

Now, what is the will of the American people? I honestly believe the people that I have met and known in this body that I serve with today and people who served in the past that I did not get to know, I honestly believe they know the will of their districts. They know what the people really count as priority, what is important, what is most important.

There are a lot of things that we hold important that are never, maybe, within our means to be able to address fully and wholeheartedly as we would like.

But to transfer the public's will into public policy is a great responsibility. Part of that responsibility, and now I have grown to know that the biggest responsibility, is what we do with the money that we have been entrusted to handle, that we collect from people that are working every day, like the coal miner in my district that takes his lunch bucket and goes down in the bowels of the earth. Many of my friends have never returned from there. It is a dangerous occupation.

Or it is the farmers who are trying to feed us. Farming is a high-risk line of duty, one of the most unhealthy occupations in the Nation, the family farmer.

But the Blue Dogs have outlined four solutions to avoid leaving our children and grandchildren with the consequences of today's irresponsible budgeting solutions. Here are the ABCs.

A is ensuring that there is honesty and accountability; budget enforcement, in other words. Unless we renew our budget discipline, Congress will continue to find ways to break its own rules and pass more legislation that puts still more red ink on the national ledger.

Enforceable budget constraints, restraints, will shine a light on deceptive practices and construct a fiscal guardrail, keeping our spending within the Nation's fiscal means.

As my colleague, the gentleman from Texas (Mr. SANDLIN) said, those out there who work hard and play by the rules, they should expect us to follow them; even our own rules, which, from the parliamentary standpoint, with all the specifics of what goes on here in this process, are probably not clear to many. Many of these are not clear to me. Even when they are, I am wondering if we would recognize the same ones on the same page, the wording and how it is interpreted.

But it is time that we lay everything out on the table, leave nothing off, just like we ask our families to do. I have told my children, do not count some expenses or some funds that are coming in twice. Some things are for certain things, certain important priorities: the utilities, for example, that I mentioned. Those are identified. We must lay those aside and at least put an approximate, sometimes a detailed and very predictable, expense that they can expect every month. I do not think we are surprised by what we know we have to pay for here.

So we have to be able to reconcile within ourselves what the rules are, enforce them, and ensure honesty and accountability.

B is balancing the budget without raiding Social Security. A balanced budget constitutional amendment, that makes sense to me. We must vote on a balanced budget amendment to the Constitution that requires the President to submit and Congress to enact a budget that is in balance, without using or raiding the Social Security surplus.

The amendment could be waived in times of war, of course, military conflict, or other threats to national security. Even that is pretty broad, because what some people might classify as national security, or the administration, that is what we deliberate on here, to see if we agree. But surely a majority out of 435 people, and 100 over in the other Chamber, with a President who makes pretty close to the same pledges and promises if they want to be elected or reelected, surely that cannot be too far off the bubble, I would not think, unless we are changing the rules after we get elected and do not want to face up to what we promised.

This includes excluding the Social Security trust funds. Balancing the budget is meaningless if we borrow from our children, and just go to our parties and play golf and have our fun, and tell the American people that things could be looking better: ''Look up, let us be positive.''

Members are not talking to anybody who is even halfway near pessimistic. I do not accept defeat or anything that is presented to me with doubt if I know I have done my best within my power. How in the world can the American people expect us to be looking them straight in the eye and saying that we are doing our best when we are willingly adding more debt to the debt that we are not even being honest about?

Sure, there are unforeseen expenses that come our way, such as the national security, terrorism, and recession, but we have a tendency to underplay what we want to and exaggerate what we want to just to sell what we

know cannot be accomplished in a certain realm of time, within the election proximity of time. When does reality finally strike what body of elected people? Will honesty and reality finally come to the surface and say, I cannot account for all those generations back there, and those decades of politicians, but I can tell you what I know? That is who I want to serve with, someone who will step forward and be counted.

A debt limit with a plan. Blue Dogs believe Congress has a responsibility to cover obligations through the end of the fiscal year September 30, 2002, and that is coming up pretty quick, but that raising the debt limit by $750 billion as requested by the President is pretty risky business, in my way of thinking.

First, the President and Congress must create a plan to put our fiscal house back in order, just as the family facing financial problems must work with their bank to establish a framework, a financial plan, in order to get approval to refinance their debts.

But do Members know what they have to do before they can refinance their debts or begin their plan? The biggest word I know of: acknowledge that there is a problem, acknowledge that one is wrong.

I have heard our preacher say in our pulpit that one of the biggest words, misused words, is the fact that many of us want to say, oh, I made mistakes and I stubbed my toe, and I have done this or that. I wish I had it to do over. They leave out the word ''sin,'' from a religious context. They do not want to acknowledge within their own lives what they have control over themselves that is going on wrong in their lives.

Do Members know what is going to happen to that person who has gone too far with alcohol or anything else? Unless they acknowledge it, they will never be able to control it or to come up with a solution, or have a plan; to be in that Alcoholics Anonymous, to change their lives in their own faith, because they have not acknowledged who they are down deep, what they have done. They have tried to sugarcoat it by saying, ''I sure have made some mistakes.'' That is from a secular standpoint.

I might have said something wrong to somebody, maybe not guarding my words or not being as courteous. That is a mistake. But it is going deeper than that. Climbing out of the deficit ditch is going to take strong, courageous people to step forward acknowledging the problem.

Finally, defending our children from paying our bills, and having a supermajority to borrow money. All too often Congress and the President have been unwilling to make tough choices to balance our priorities, and have chosen to leave future generations to pay the bill for policies which benefit the current generation by increasing borrowing. Making it harder for Congress to borrow money by requiring a supermajority will protect the rights of future generations who are not represented in our political system, but will bear the burden of our decisions today.

That is where we are at, that crossroads. Can we just do the simple ABCs? We cannot even put a word together or communicate or learn to read unless we know our ABCs.

I want to tell the Members something: the Blue Dogs know our ABCs. I hope we can convince enough of our colleagues to step up and eat that alphabet, even if it is the cereal of the morning. If they are on the floor trying to defeat or at least debate with me as a member of the Blue Dogs, I am telling the Members, I am ready to face them.

If they have different figures than the CBO or any other fiscal commission can tell us, if they do, let us sit down here together in the light of day and say who is wrong. And whoever it is, let us fire them, or we are paying them too much if they are not giving us the right kind of information that we all can drive this Nation to the right course.

Mr. JOHNS. Mr. Speaker, I thank the gentleman from Illinois for laying out what I believe is the best plan. It is a plan to get us back to where we really need to go.

Why do we need a plan? We talk about a lot of things in this Congress, but one of the most important things that we do is allocating dollars in the budget process and authorizing and appropriating, because that is where our priorities lie. They lie in where we put our money.

That is why it is important to have a budget that makes sense, that is not a deceitful one in any way, or with smoke and mirrors, but a budget plan that makes sense. I think it is really important, because let me give the fiscal roller coaster ride in a real broad picture about where we have come from over the last very few short months, it seems like. I will try to be very nontechnical, because it is not very difficult to understand.

Last year, the CBO projected that the government would run a unified surplus of $5.6 trillion over the next 10 years, trillion with a T, and $3.4 trillion of that surplus was going to be excluded from Social Security. So we were dealing with $3.4 trillion over 10 years of money that we could or we were going to deal with for surpluses.

Actually, during the budget debate last year, as the Blue Dogs were moving forward in trying to make sure and drive home the message of paying down our debt, a lot of my colleagues on the other side of the fence were talking about, hold on, we do not want to pay off our debt too fast.

Boy, did that not happen. Less than 12 months later, the debt held by the public is increasing. Last year, Congress and the President agreed time after time after time again to put a lockbox around Social Security so that these new projections that show promise now, so that we would never go back into the Social Security trust fund.

But now today, May of 2002, less than 1 year or just a little over a year from all of these projections, the government is projected to run, listen to this, Mr. Speaker, a deficit that will require the government to use Social Security and Medicare money from the trust funds for the rest of the decade. Those are not my words, those are the CBO's, the experts and the guys that do this for a living. They said for the next decade, and it is only 2002, Mr. Speaker, so that is the fiscal picture that we have painted ourselves into. That does not even count the continued war on terrorism, the continued homeland security, and other very important programs that this Congress I know is going to want to put at the front lines.

What does this mean? This means a higher debt. We spend nearly 14 percent of our Federal dollars, 14 percent of our Federal budget goes to the interest on our debt. I mentioned a little while ago that it is over $230 billion a year in interest. But for those who are percentage buffs and pie chart people, 14 percent of our budget goes to paying off the debt that we have incurred, something that we could have started to pay down over the last few years.

Even the experts agree that spending this money on interest, and we all know what that is; it is not unlike, or in fact, it is exactly the same as the little line item that we have on our credit cards when we do not pay the balance off that says finance cost, interest cost on the money that we spent that we did not pay back over a year cycle. So that puts it in the context of our everyday occurrences. It takes away from the money that we could be using to pay down the debt, that we could be using in one of the most important issues that we need to address in Congress: educating the children, the next generation, the next Members of Congress, the next people who will protect this country. Also, it is health care, prescription drugs.

By continuing not to focus on paying down our debt, it takes money away from the things that are so very important.

□ 2015

But the most important, I believe, problem that this causes, when we talked about tax cut and many of us including myself voted for President Bush's tax cut, it was August of last year when we voted on the tax cut. The economy was starting to slow and sputter a little bit. September 11 had not happened just yet. And our life changed a month from that, but many of us voted for these tax cuts. Some of us voted for them and, of course, did not like some of the areas that we were cutting. I thought we could do better in spurring our economy and putting money back in other areas. But it was a package.

This is Congress. There are 435 people, and I think it was an okay deal that we dealt with. But as we moved out of this tax cut and moving into the areas of having to pay debt, increase our debt and look at deficits, we have to reevaluate some of the things we need to do. And one of the things, the biggest drag on our economy is debt payment and deficits. I think that that is agreed to by many economists, and I think that is very important. And what does that do in the whole ball game? Because I believe the most important tax cut that we could possibly have that everyone enjoys is keeping interest rates low; interest rates on your house, interest rates on your credit cards, interest rates on your auto loans. And that is what I think we need to continue to be mindful of as we move through, I think, a very, very, very important and critical crossroads as we are starting to develop the 2003 appropriations bills and the other bills that we are going to be dealing with for spending.

But I think it is important that we have a plan, a plan that puts fiscal handcuffs on us, to save us from ourselves sometimes when we are having to spend and wanting to make sure that we are providing the best kind of services for our constituents back home, whether it is roads or education or health care or veterans' benefits. But at the same time trying to do it in a very frugal way to make sure that we are spending the taxpayers dollars the best we possibly can. And that is what the Blue Dog plan does. It has been laid out very nicely tonight by my friend, the gentleman from Texas (Mr. SANDLIN), and my friend, the gentleman from Illinois (Mr. PHELPS).

And maybe just to recap it very quickly because my time is running out, it is again the ABC's. It is honesty and accountability in budgeting. It is balancing the budget without raiding Social Security. It is climbing out of the deficit ditch by making sure that we have limits and abide by those limits; and, D, of course, is defending children from paying our bills and our debts that we are accumulating over these few years, and that would require a supermajority to borrow dollars. So those are the ABC's the Blue Dogs are going to continue to push until we get a plan together that makes sense, that brings us into the next century, that brings us through this war time and times of great difficulty as we are having to deal with issues we did not dream of dealing with just a few months ago.

I thank the Speaker for this very lively hour of debate, and I just beg that the American people and the majority and this Congress look at the Blue Dog plan, take it for what it is worth. It is not just rhetoric. We have bills that are in the hopper that identify the ABC's of how we get out, bring fiscal sanity back into this Congress.

SUPPORTING THE UNITED STATES LEAVING THE INTERNATIONAL CRIMINAL COURT

The SPEAKER pro tempore (Mr. GRUCCI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I look forward to our discussion this evening. There are a couple of things I want to talk about. But first of all, I think it is important to address some of the comments that have been just made in the last hour.

First of all, we ought to point out that the Blue Dogs who spent the last hour criticizing the administration, criticizing the majority party, never bring out in these comments that the Blue Dogs, in fact, are all Democrats. This last hour was a very partisan, one-sided point of view. This is exactly why we run into budget difficulties.

Now, I agreed with some of the points that were brought up by these gentlemen. But I was amazed to hear these gentlemen, the gentleman from Illinois (Mr. PHELPS), the gentleman from Texas (Mr. SANDLIN), and the gentleman from Louisiana (Mr. JOHN), talk about how we have to control spending. We have got to stop the pork. We have to make sure we, as the gentleman from Louisiana (Mr. JOHN) said, lay everything out on the table. We have got to watch these spending programs that are outrageous.

So I was curious. I decided to see how all three of these gentlemen voted on the farm bill, which is probably the biggest budget buster we have had up here in a long, long time. Now, clearly, somebody who spends an hour advocating a balanced budget, who spends an hour advocating these so-called Blue Dog ABC's about avoiding pork, about accountability and honesty in government, about voting here as you talk to your constituents back there, certainly you would expect that these gentlemen would be the first to stand up to a bill like the farm bill which, although it has a nice-sounding name, helps very few farmers in this country. It helps a lot of corporate farmers in this country. And take a look at where this bill started; take a look at where it started and where it ended up.

How many billions of dollars more were added to it as it went through these Chambers? So you would expect these three gentlemen to, of course, vote ''no'' on a project like this. But all three of these gentlemen who spent the last hour attacking the administration, who spent the last hour attacking the majority understand this Blue Dog which means Democrat concept, all three of them voted for that program. All three of them voted for ''yes'' on what is, and I say it again, the largest budget buster we will have up here this year.

Now, look, maybe their constituents wanted them to vote that way and maybe they are representing their constituents. I am assuming they probably are. If they come from a farm community maybe they are. But for gosh sakes, do not vote one way and talk the other way.

I once had somebody tell me, if you want to stay elected in Congress, especially when you get outside the Northeast where it is solid Democrat, but out where most of the country is and that is moderate to conservative, go ahead and vote liberal in Washington but when you come home vote conservative. Go ahead and talk about a balanced budget when you are back in your district, but at the same time make sure you bring the pork home. And in my opinion that is what has been reflected in the last hour.

So if you want to talk about accountability, if you want to talk about lay everything out on the table, my three colleagues should have probably said, oh, by the way, the only exception we have to the comments and the attacks we are making on the majority party, the only real exception we have that does not apply to our rules that we have just told you about for a balanced budget and fiscal responsibility is our own farm bill. Now, understand we are going to vote for our farm bill, but aside from that everything else ought to be scrutinized.

That is the problem back here. I mean, all of us, that is where you have got your problem. But I have sat here for the last hour, most of the last hour, and was amazed that first of all my colleagues stand up and make it sound as if they are some independent organization out here when, in fact, your Blue Dogs are comprised solely of Democrats and the attack was solely against the Republican majority. It was a partisan hour. That is fair game. That is what the House floor is for: debate. But somebody has got to stand up and say, wait a minute, just as they said should be done, let us lay everything on the table.

And that is why I was curious and went back and looked at the actual voting record to see how one would speak on the floor but how one would vote outside the presence of the speech that they were giving. And I saw an inherent conflict. In other words, the vote that was taken on the farm bill certainly did not at any point in time in the last hour match the comments of the gentleman from Illinois (Mr. PHELPS), the gentleman from Texas (Mr. SANDLIN), or the gentleman from Louisiana (Mr. JOHN). And they are all gentlemen. Do not get me wrong, they are colleagues of mine. They are professionals. I would assume they represent their districts well.

My point here is not an attack on these three individuals. But I believe in what they are saying and that is accountability. And if you are going to talk about a balanced budget; if you are going to talk about getting rid of pork; if you are going to talk about avoiding budget buster bills, then you ought to talk about that farm bill. And

you ought to say to your constituents, look, I talk about this budget buster, the balanced budget, the pork stuff; on the other hand, I voted for you on this farm bill.

I think a balanced budget is important, but the only way we will break this is for you to take some tough votes, even when those programs apply to your particular district.

Mr. Speaker, I wanted to spend the majority of my time this evening, I actually had an interesting visit with a constituent and good friend of mine. His name is Mr. Stroobants. And we got to talking about world jurisdiction and the United Nations. You know, the action taken by the President in the last few days, I felt obligated to come and speak about that action.

The action was that the United States intends to pull out of the United Nations Criminal Court or the International Criminal Court.

I want to spend the next 30 or 40 minutes talking about what is the international court. How does that compare to the court system we have in the United States? What does it do to our sovereignty? What are the political ramifications of conceding sovereignty or conceding authority over the American people, the United States Government of ceding our judicial authority over our people to other countries? For example, to a court that is primarily dominated by our friends in Europe, by the European Union. By a court that allows countries like Cuba, Libya and some of these other countries the same vote as the United States of America. By a court that, in my opinion, despite what the United Nations propaganda might say, despite the push that they are making out there, that a court here, instead of being one that would pursue actual criminals, like the likes of bin Laden and people like that, would over time be used to pursue American citizens.

The United States of America is a sovereign country. The United States of America does not cede any authority of how we run our government, of how we elect our public officials, of how we have our court systems or our executive branch, of our judicial branch, of our legislative branch. That authority is determined by the Constitution of the United States of America. And our Constitution does not contain anywhere within its four corners a provision that allows the United States of America to give its authority to a worldwide power.

The United States of America, to remind ourselves of a little history, was created because we wanted to become an independent Nation. We wanted to be a Nation that had its own people, a Nation of its people by the people and for the people; a Nation that stood for what we have thought was good. But what has happened is that we were seen more and more with the European Union more and more we talk about the European United Nations, more and more talk about a one-world government; a government where all laws will be decided by one authority; a government that would have a military under one authority; a government that would decide what your environmental regulations within the boundaries, within your own borders would be decided by. That is a socialistic type of approach.

It is very clear that in Europe most of those countries are headed towards a socialistic type of approach with the European Union-type of adventure, so to speak.

Now some parts of the European Union may make sense. I think it makes sense for the United States to join with Mexico and to join with Canada under our NAFTA agreements so that we are an economic bloc. And so I see why countries in Europe want to join together. So I understand why countries in Europe want to form an economic bloc, come together for the sake of economics. But it is a long way from coming together as an economic bloc and that of ceding your sovereignty to another country.

□ 2030

Mr. Stroobants pointed out to me very clearly, he came to this country from Belgium, and he came to this country because this country was a capitalistic country. It was a country of democracy. It was a country that had its own checks and balances within its own borders.

We have a very well-defined system as presented by our forefathers under the Constitution and under the Bill of Rights, but what is happening in the international community is they want to form an authority that has oversight, that is a higher authority for the people of America, than their own government in America. The United States people should not cede one inch of sovereignty because let me tell my colleagues how they draw it in.

Take a look at the United Nations and the propaganda that they use to talk about how great this World Court is.

Number one, it is a permanent structure. It is not like the Nuremberg trials where we convened an international authority for a short period of time to try a very defined group of war criminals. That is not what this is. This is a permanent court, a worldwide court that will exercise authority over American citizens. How did we ever get there?

President Clinton signed it on the last day he was in office. This does not ratify it. President Bush has given notice that the United States of America will not participate in this World Court, but how did we get there? That is the answer. On the last day of office, about the same time that the Mark Rich pardons were signed, President Clinton signed this deal as one of those who agrees with the World Court. That is not the exact buzzword, but that is in essence what happened.

Fortunately, this week, the White House, President Bush, has given notification to this so-called World Court, to the United Nations, that the United States of America will not participate, will not participate in an exercise that deviates in any way or subtracts in any way the rights of American citizens.

The authority for judicial oversight of American citizens belongs to the American people. It does not belong to the people of Cuba. It does not belong to the people of France. It does not belong to Germany or Belgium or Russia or China.

The judicial authority over American citizens belongs to the government and to the people of the United States of America. This is their government. In our country, this is our government. This is not the government of the French. This is not the government of Belgium. This is not the government of some other country out there.

Let us talk a little bit about what this so-called World Court does. First of all, remember, that every program out here, earlier in my comments we talked about the farm bill, for example, every proposal here, every bill that starts here has a good sounding name to it, and frankly, some of these start with pretty good intent, but once we create it, it is like a government program. Once we create this bureaucracy, we will never again disassemble it, and that bureaucracy will only grow and grow and grow.

Think about it. Take a look at the United Nations as an excellent example. Fortunately, before the United States entered into being a partner with the United Nations we reserved to ourselves that overriding authority of the power of a veto. Four countries have it. We have one of them. So, at any time we feel that we are ceding sovereignty to the United Nations, we can exercise our veto, but what happens with these organizations?

They start out with a good attempt. They are not about to tell us they are going to exercise their authority going after Americans who they think may have violated crimes against humanity because their gas tanker spilled on an interstate and had fuel going into the water or because they decide that for some reason that there has been a criminal violation by some elected official in the United States. That is not what they are telling us now.

That is their goal. The goal here by the European Union, the goal by the other countries in this world is to exercise an authority over the United States, the likes of which has never been accomplished in the history of this country. This is a critical, critical issue for us. This is a sleeper. This is one of those things that sounds good, and sign on the dotted line, we will read the fine print later.

We better look at the fine print today, and thank goodness, over on the executive side of this city the President, George W. Bush, did look at that fine print and did notify the world, look, United States is not going to enter into this arrangement. We are

not going to enter into an agreement into which, I, as the President of the United States, cede the sovereignty of this country, to which I give someone else one iota of authority other American citizens from a judicial perspective.

Let us talk about the details of this World Court so that my colleagues have a pretty good idea of exactly what they are asking for.

The United States court system, as we all know, in our government, we have the executive branch, the legislative branch and the judicial branch. I am not trying to be talked down or be repetitive about history or how the political structure in our country is, but there is a fact that in our Constitution, our forefathers looked into the future and said in order for this system of capitalism, this system of democracy to work, there has got to be checks and balances. There has got to be a way that everything is filtered through before the final process.

Those checks and balances, they designed it into our system, first of all, with that wonderful document called the Constitution and then that document in the Bill of Rights, and then the document in creating a Supreme Court, and in our court system in this country, unlike some countries, but like many other countries, in this country, the courts do not make the laws. The courts are there to interpret the laws, and it is a very clearly defined separation of powers between the legislative branch, which does create the laws, and the judicial branch, which enforces and interprets those laws created by the legislative branch.

In other words, a judge in a District court or in a municipal court, let us say in Glenwood Springs, Colorado, the municipal judge there has no authority on their own to create law. They have no authority on their own to just out of their own conjuncture, say all right, this ought to be against the law, I am going to make it against the law.

We have accountability of those. Not only do we have accountability that the Justice Department does not create laws, we have accountability within the Justice Department and within the judiciary branch, and that is the process of election. For example, the municipal judge that I just spoke of, that municipal judge answers to the local city or the local authority. For example, the municipal judge in Glenwood Springs is held accountable to the city council of Glenwood Springs, and the city council of Glenwood Springs is held accountable to the voters, and it goes that way all the way up to the United States Supreme Court.

In our country, the United States Supreme Court justices must be confirmed by the United States Senate. So we have lots of checks and balances. That is a very important element of the United States judicial system, and we will find that system is completely absent, completely absent from the World Court once they put that court into place. Once they put that prosecutor into place, they can create their own. They have no checks and balances. They answer to no supreme authority above them.

In this country if a district court or a municipal court or a county court or some other type of quasi-judicial process out there, ultimately they would have to answer to the United States Supreme Court and the United States Supreme Court justices answer to the United States Senate and the United States Senate answers to the voters, and it goes on and on and on. That is absent. Those checks and balances are absent from this proposed World Court.

So here is the U.S. court system. Checks and balances. Again, very critical in our system. Another check and balance, by the way, the rights of the defendants, the rights of the victims. Those are a constitutionally guaranteed right. The Miranda warning, for example.

I used to be a police officer. When we had somebody who was a suspect, we arrested him as a suspect, we had to give them constitutional rights. Why were those constitutional rights in place? Because it was a check and balance, designed in the system to protect the system from abuse, but this World Court has none of those kinds of rights. They are not required to advise anybody of their rights. There is no right to demand a jury trial in this World Court. There is no right to demand an accuser in this World Court. It is in our Constitution. None of those rights will we find in this new proposed World Court. In other words, we are losing a big check and balance there.

Let us move on. The authority. The U.S. court system has authority. Clearly, they have authority to issue subpoenas. They have authority to conduct trials. They have authority to bring together a jury pool. They have authority to interpret the laws, but their authority has checks and balances, and the authority of the courts of the United States of America are reserved for the people of the United States of America.

In other words, this judicial system is designed for the United States of America. It is not a custom designed court system for any other country in the world. It is ours, and the authority over the American people does not rest with the Chinese courts. The authority over the American people does not rest with the courts Fidel Castro puts together down there in Cuba. The authority over the people of the United States of America does not rest in Paris or in Rome or over in Germany or in Belgium. It rests with the courts of our country.

We should not under any condition give the authority that our courts have over us, over the U.S. citizens, over this geographical location, over this Nation. We should not at any time give even a small sliver of that authority to an international organization that is permanent in structure, that in fact claims higher authority over our citizens than our own court system is allowed by our own Constitution.

Jurisdiction. Think of the jurisdictional issues. This World Court wants jurisdiction, for example, over World Heritage sites as designated by the United Nations. The reason there is so much momentum right now for the World Court is we all want to get bin Laden. Bin Laden is a terrible, terrible criminal, but the fact is that bin Laden will come and go. He will over a period of time be eliminated, and this court will be looking for new ventures, new venues under which to exercise its authority, and I will tell my colleagues where they are moving next.

The next place they are going to move is on the environment. Now, we all want a clean environment. That is not the issue we are talking about here. The issue is should we allow a court in Rome, a World Court, the jurisdiction to charge somebody say in Lynchburg, Virginia, with an environmental violation as a crime against humanity?

For example, let us say that a gasoline truck driver is driving recklessly. He wrecks his tanker and the gasoline spills on the interstate near Lynchburg, and it goes into the water and causes some harm in the water. Should that person be subject to the courts of the United States of America? Well, of course. That is our Constitution. That is our Criminal Code. That is what the court system is designed for.

When that truck driver, for driving recklessly and causing an environmental spill, when that truck driver is arrested, he or she has certain constitutional rights, and they have a right to a jury. They have a right to their Miranda warnings, et cetera, et cetera, et cetera. Well, under this proposal of a World Court, we cede that authority, and over time we will give more and more or maybe not give it, they will claim they can take more and more authority because we signed the treaty creating it.

The next thing we know the World Court is going to be sending investigative enforcement officers to Lynchburg, Virginia, to take a look at this accident and decide whether or not the World Court should indict that truck driver who had that environmental spill. This is not exaggeration. This is exactly where this thing is headed.

I am not trying to cry wolf here. I have just seen programs like this created. Take a look at the birth of the United Nations. If we did not have that veto power, take a look at the authority the United Nations would try and exercise over the United States of America.

□ 2045

Take a look at how many members of the United Nations voted on a consistent basis against the interests of the United States or opposite of the United States over the last several years. You will be astounded.

You see, the United States of America, this kind of system, United Nations and this kind of system, an international court, will be used as a political tool, and thereupon lies the threat. That is why we have to be very careful that the jurisdiction over criminal activity, over civilian activity by U.S. citizens or within the borders of the United States of America or its territories, that we keep that jurisdiction in our country; that that jurisdiction rests with the citizens of the United States and not with the citizens of some world court, which is comprised of countries throughout the world, who probably, most of the time, do not have the best interests of the United States of America or, more importantly, its citizens in mind.

We may very well find a world court that decides they are going to launch a criminal investigation into the City of Denver because the City of Denver, Colorado has air pollution coming from vehicle emissions that pollutes the air to an extent that they think it is a violation against humanity.

And there is no definition of how far this world court can go. That is exactly why President Bush has withdrawn from that court. The President recognizes that there are issues of sovereignty; that there are issues of politics; that there are dramatic issues involving jurisdiction. We are not a one-world government. This world court, maybe it will work for the European Union, maybe those countries, the countries of Belgium or France or some of the other members of the European Union, maybe they want to give their national sovereignty and their national jurisdiction to a one-unit court that is a world court, but the United States of America does not want to do that. And, fortunately, the President stood strong on this.

Now, many of my colleagues will be reading in the next few days a lot of criticism coming from, guess who? Of course, the special interests, the world court, the European countries, and the other countries that know they have an opportunity to gain a huge advantage over the United States if they can get the United States to join this world court. These nations will know that for the first time in the history of the United States, our system of government has ceded its jurisdiction or its sovereignty, or at least a portion of those two, over to other governments. They will be elated if we sign up and participate in this so-called world court.

Now, keep in mind, this differs from the United Nations. In the United Nations, colleagues, we have retained the power of veto. So no matter how many times those other countries vote against us, no matter how absurd or focused or politically motivated they become against the interests of the United States, we always retain the ability to exercise a veto. In the world court, the United States, in the creation of it, and the judges that are elected, there is no oversight once they are in. But in the initial authority, the United States has as much authority in this world court as does the country of Cuba, as does a country like Syria or some other country that wants to join it.

This is not a court that some in the United Nations would like us to believe is intended to pursue the criminals that have taken such horrible and devious actions against the United States of America. This is a court that will assist those people. And I read an excellent article by a gentleman named Tom DeWeese, and I want to give Mr. DeWeese credit, colleagues, for this. He says U.N. criminal court threatens U.S. soldiers, threatens U.S. soldiers, in the fight against terrorism.

Now, I do not like to read written comments. I am not going to read this article verbatim in whole, but I am going to take some excerpts from this article because I think this is excellent and I think it solidifies and supports the point that I am making here this evening.

The United Nations sells the version of the ICC. Now, the ICC is the world court. He says ICC, I am going to put world court in there. The United Nations sells the vision of a world court as a tool for bringing international criminals like Saddam Hussein and Lybia's Qadhafi to justice. The truth is the court is more likely to be used as a tool for those criminals against the United States.

Let me go on. The world court defines as a war crime any attack by our soldiers with knowledge that inescapable collateral deaths or injuries, quote, to civilians or damage to civilian objects or widespread long-term damage to the natural environment, meaning if we are engaged in a war and we cause long-term damage to their environment, in other words when we bomb Afghanistan, if we, as a result of our bombing we damage the environment on a long-term basis, and it was clearly excessive in relation to the concrete and direct overall military advantage anticipated, then we are subject to a violation of their criminal code.

In other words, you can have a war, as Tom says, but do not break anything and do not hurt any civilians and do not hurt the environment.

Let us go a little further. He says, and he is accurate, war is not a video game. It is not an Olympic event. You are going to have innocent people killed in a war. You try to avoid it, but in every war ever known to man there has been collateral damage. And how would you attack Afghanistan without doing some damage to the environment? How would you sink a ship without doing some environmental harm to the ocean? You have a ship that has sunk into the ocean. How would you intercept a missile coming over the skies without damaging the environment by exploding the missile in the air?

Now, some would say that that kind of thing would not happen. I want to tell you, colleagues, how many programs have we seen created back here or worldwide where when they initiate the program they assure you over and over again, that is not going to happen; that is an exaggeration; we are not going to go that far; that is overreaching. Then, pretty soon, that institutional memory of what was originally said was overreaching in fact comes within reach, and the next thing you know, it has been gathered and put in the nest. That is a concern.

Here I continue with this article. The court can prosecute anyone who violates United Nations treaties. This world court can prosecute anyone who violates United Nations treaties, including environmental agreements, like the Biodiversity Treaty and those covering world heritage sites. For example, if we had entered into the Kyoto Treaty, and there was a company or a business, let us say a printer, a printer had some ink and put the ink in the wrong garbage can and it was a violation of some type of international treaty, even a Kyoto Treaty; or a U.S. company based in, let us say, Connecticut, had emissions that violated Kyoto, they could find themselves in front of a criminal court that is a worldwide court. That is the absurdity of what we are talking about here.

My reason for speaking this evening, and I will go through these other points, but my reason in speaking this evening is to give some support to what the administration has done. I think of any action I have seen the administration take, next to proposing to get rid of that death tax, but any policy I have seen them take, from the judicial system point of view, it is the administration's decision to back out, not to join in this effort or this new configuration of a world court. Kudos to the administration.

I think it is our obligation, every one of us, to join the President in that effort. Anybody in these Chambers who would vote for the creation or for the entry of the United States of America into this world court, they need to go back to their constituents the weekend after they vote and explain to their constituents that they just ceded over to a world court, to wipe out checks and balances of our judicial system and cede over the authority that belongs, and has belonged throughout the history of this Nation, since this Nation was created, the authority that belonged to this Nation, that as a congressman or congresswoman they felt it necessary to share that authority with other world governments and jurisdiction.

My colleagues need to go to their constituents and say to their constituents, look, I decided to support the world court. I have decided to give jurisdiction over so-called criminal activity, which could become civil activity, but is originally proposed as criminal activity, I have decided to cede

that authority to other governments in the world and, for the first time in the history of our country, take that authority which was reserved solely for the United States, the body of the United States Government, that was reserved solely for this government, and as an elected leader of this country have decided that it would be better placed in the hands of a foreign country, in a foreign world court.

That is what happens if we do not support the President on his decision not to join the world court.

Let me go on. Another right. The United States, since day one of our history, has always recognized the inherent right of self-defense. Nowhere in the documents that I read of this so-called world court, nowhere in the documents that I read about this world court is there an inherent reserved right to self-defense. It does not exist, to the best of my knowledge.

Let us talk about sovereignty again. For those of my colleagues who think they can support or think they are going to oppose the President's decision, remember the President's decision is that the United States will not join an international world court, but for those that object to that decision, they need to be prepared to explain to the American people and, frankly, to explain to their colleagues, I think, why they are willing to give up sovereignty that has always been reserved not for this court down here but for the government and for the people of the United States.

And let us talk about the political aspect of it. Take a look at what happens with politics. Now, I had a very vigorous discussion with my very good friend Mr. Stroobants. I have had a vigorous discussion with many of my colleagues. But take a look at how the propaganda in this world, the worldwide press can turn propaganda into a media-eating machine. They can present a picture that may or may not be accurate. And the best example is to pull out The New York Times, pull out any of the major newspapers in this country and take a look at any European country, take a look at the BBC, take a look at CNN, take a look at any news media you can find that has worldwide reporting, say about 4 weeks ago, and see what kind of political propaganda they were putting out there about the massacre at Jenin. Take a look at it. Take a look at what they talk about, the massacre that took place over on the West Bank.

Well, guess what happened? You know what happened? No massacre took place. Sure, there were soldier deaths, there was some collateral damage. I can assure you we have had collateral damage in Afghanistan. But all of a sudden, the media has become quiet. In fact, there was no massacre. In fact, one of the most liberal organizations in the world, that apparently sent their own investigators out, came back and said, well, we did not like what they did, but there was no massacre that took place.

Well, that example is the same kind of thing that a world court can do. A world court condemnation, for example, of things that are the business of the United States, they can turn worldwide opinion against the United States. This worldwide court could be manipulated so easily. Why could it be manipulated? Because it has no checks and balances.

Now, every court system can be manipulated, but the way you minimize that manipulation is to have checks and balances. You have weights and counterweights. So in the United States, where a court may be manipulated, and there are arguments on that, for the most part it is the best system that the world has ever devised because it has those checks and balances. But in the world court system, what check and balance exists? Nothing. What kind of restraints are on the prosecutors? Nothing. What can the prosecutor decide to do? Anything he really wants to do, as far as criminal prosecution. And I think, over time, it will be turned into civil prosecution as well.

What kind of geographical limitations will there be on this prosecutor? None, at least for the countries that sign up for this world court. What kind of claims can be made by this prosecutor against government officials? It is amazing. You know, if they decided that they felt that Henry Kissinger had not done a good job, this prosecutor could actually put out an arrest warrant and have Henry Kissinger arrested at an airport when he lands in Paris. This court actually has the jurisdiction to prevent U.S. citizens from going anywhere because of the concern for arrest.

Take a look at what this court would do to our American men and women fighting in our military.

□ 2100

If this court, comprised of all of these other countries, including Cuba, and other countries that we have on our terrorist list, if this prosecutor decides, he may say the American soldiers, I do not like what they did so we are going to charge them with criminal acts against humanity. That is what I mean by the political nature of this world court.

So the arrow that I have pointing down here means exactly that. We would dive it right into the ground if our government was to give up an inch of jurisdiction or an inch of sovereignty when it comes to the judicial system that this country has perfected.

Very briefly, America believes in justice and the promotion of the rule of law, and the rule of law is very balanced. The rule of law has been set by legislation, by statute, by precedent. It has been set by experience. The courts in the United States are not fresh created courts. These are courts with 200-some years of experience. These are courts which have been tested and have checks and balances. That is what the United States thinks is necessary.

Those that commit the most serious crimes of concern to the international community should be punished. We agree that the Hitlers, the bin Ladens that commit heinous crimes against people should be pursued. That is why the United States was the primary sponsor, underwrote it, played the major role in the Nuremberg trials; but those were trials of a temporary nature, and those were trials that had numerous checks and balances and which had sunshine transparency. Those trials and that system has a lot of differences from what is being proposed under the world court system, that states, not international institutions, are primarily responsible for ensuring justice in the international system.

Our belief in this country is that not an international government or an international court should have oversight over specific countries. Those countries have laws of their own. Every country ought to be able to have their own judicial system and not be subject to the whim and call of some prosecutor in a so-called world court.

But the best way to combat serious defenses is to build a domestic judicial system, strengthen political will, and promote human freedom.

Finally, let me talk about this world criminal court here, what is on this poster, because it is important. It undermines the role of the United Nations Security Council in maintaining international peace and security.

I am not a big fan of the security council, but the fact is that we are a part of it. The reality is that we do have control and a veto, and so we cannot be run over in an avalanche of countries that do not like the United States of America. But this security council is beginning to dilute its own authority. We can live with the security council authority because we have the right of veto. To get around that right of veto, we are finding countries that are getting the United Nations to say let us take that authority from the security council of the United Nations, and move it over here to the world court because in the world court the United States of America does not have a right of veto. We can finally get our hands on American citizens, or we can dictate what citizens of America, the laws that they will be subject to, even within their own boundaries. Thank goodness the President did not agree to this and stood tall and said that the United States will not be a participant in this world court.

It creates a prosecutorial system that is unchecked in power. This prosecutor of this world court will have more power than any other prosecutor, in my opinion, in the history of the world. This prosecutor will have the right to go past national boundaries, to go past state boundaries. This prosecutor will have the right to reach into small communities and villages, high atop the mountains in Colorado, or reach into the major cities of Moscow or Berlin or Brussels or Paris; his or

her reach will be unparalleled anywhere in history. Should we sign off on that? Should anybody in this Chamber agree to a world court system like this? This thing almost became a reality until the action taken this week by the President.

Let me go down here, a search jurisdiction over citizens of states that have not ratified the treaty that threatens U.S. sovereignty.

The United Nations claims under the World Heritage site, they have authority over what goes on at Yellowstone National Park or that under worldwide environmental laws that the United Nations has come up with, that they should have the authority to reach into the sovereignty of the United States. They can say whatever they want. The fact is that they have no authority. The United States does not recognize it. The United States has not ceded any of its authority to the United Nations; but if we sign onto a world court, we sign it away forever. That is the danger of this world court. That is the danger of that treaty.

It is built on a flawed foundation, this world court. These flaws leave it open for exploitation and politically motivated prosecutions. If we had a world court in place in the last 6 weeks, what do Members think, how many charges would have been filed by now against the country of Israel or against Yasir Arafat, who is a known terrorist, a lifelong terrorist? It would be so lopsided. Regardless of which side of the issue Members are on, it is very clear that the propaganda machine in the last month has been anti-Israel. Everything is Israel's fault. It has been completely ignorant of Arafat's history or the homicide bombers on Passover.

Mr. Speaker, that is my concern about this world court. The prosecutor and the judges of the world court, they have no supreme court that sits above them. They have no checks and balances that determine whether or not the course of action that they have chosen is an appropriate course of action, is a course of action that could be supported by the rule of law. They are not subject to anyone. They answer to no one.

Accountability in our judicial system is what gives the foundation of the judiciary its strength. If there are no checks and balances, no accountability, that is defined as a dictatorship; and the prosecutor would come as close to a judicial dictator as any we have ever seen in the history of the judicial system in a free country, in countries of democracy.

Let me just review a few key points about my comments this evening. The world court, the President of the United States in the last few days has issued a directive, which he has the authority to do, that the United States will not participate, will not be a participant in the world court. The world court is a new entity that is being formed, being primarily driven by the European Union. This court would be given unparalleled jurisdiction over the territories of all countries in the world, purportedly even over the United States, even though the United States will not cede any of its sovereignty. They can say anything they want, but they will not have any jurisdiction unless we give it to them, and the President chose not to give them that authority. The President chose not to give up our sovereignty.

How did we get here? The reason is President Clinton in the last minutes he held office signed a sheet of paper that said we will go ahead with this treaty, sounds good to him. It is not good. The United States of America should maintain its own judicial system, a judicial system that cedes authority and power to no one but the people of the United States of America. The United States of America, our borders and our territories, should be ruled by the rule of law that our Constitution provides, that our Constitution, which gives rights to defendants and rights to the victims, which assures that somebody accused of a crime can face their accuser, which assures that somebody who is tried for a crime can have a trial by a jury of their own peers.

Those kinds of rights are fundamental in our Constitution, and they are fundamental for the judicial system being so successful, relatively speaking, to any other system known in world history over this last 100 years.

The United States does not belong in a world court. The President was correct, and the President and the administration should get a strong voice of support from every Congressman, keeping us out of a world court and keeping that authority within the borders of the United States. This is not partisan. The fact is, it is American. Americans should keep what they have. What they have is the greatest judicial system known in the history of the world.

Let me make my final summary. I began this evening talking with my respected colleagues from the Blue Dogs, and I listened with interest to their comments given over an hour period of time. Some of their comments had some validity, but I felt the remarks were so partisan and such a strong attack on the majority party, the Republicans, and such an attack on the administration and our President, but it was never pointed out by the Blue Dogs, they identified themselves as Blue Dogs. I think it is important to point out while they may belong to an organization called Blue Dogs, the fact is that they are all Democrats. There are no Republicans in the organization. It is a Democratic organization, and it is an election year, and the purpose of one party is to try to gain advantage over the other party in an election year.

Keep in mind that those Members in that 1 hour of attacking the budget and the majority and the administration, one, is not responsible for coming up with a budget; two, is not in the majority; and, three, is doing it for partisan purposes, in my opinion.

The next thing I want to make very clear, I think if one were to stand up here and talk about how terrible it is that the majority has pork projects and how terrible that we cannot balance our budget, how we need to stand up and worry about the future of our kids, as if any Member of Congress does not care about the future of kids, and how senior citizens are being abandoned by Social Security, as if any Member thinks that we should abandon senior citizens, that is the tool of fear.

The fact is that one ought to vote as they speak. It would seem to me that someone who is talking about a balanced budget, who is talking about stopping the pork programs, about moving that money into education and where the money really helps us the most, should be amongst the most vocal opponents of the farm bill. The farm bill has some magic to it because it is called the farm bill. Take a look at the budget-busting numbers of that bill.

I thought it was very ironic that these three gifted speakers, very dynamic in their focus on controlling the budget and controlling spending, when we look at the voting record, each Member voted yes, yes, yes, on the biggest budget-busting bill we have had in a long time up here. That is the kind of transparency that we should have.

Mr. Speaker, look at this world court. I hope each and every Member can support the President in the President's move to pull the United States from participation in this so-called court. Keep in mind it is countries like Cuba, and any other country has the same authority that the United States does, that the prosecution has no oversight, there is no Bill of Rights, there are no constitutional rights. This would be the most powerful system, the most powerful political organization known to the world once it gets up and going.

□ 2115

ILLEGAL IMMIGRATION

The SPEAKER pro tempore (Mr. GRUCCI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.

Mr. TANCREDO. Mr. Speaker, tonight I want to talk about an issue of great concern to me. I hope it is of great concern to my colleagues. I know it is of great concern to a majority of Americans out there. I know that because I receive thousands and thousands of communications from people all over this country about immigration, about their concerns with regard to immigration. And I have certainly taken this floor many nights to discuss my observations, to express my concern, my own personal concerns about massive immigration into the United States and the effects thereof.

Recently I had the great opportunity to travel to Arizona, specifically to a site known as the Coronado National Forest. The Coronado National Forest is a beautiful and wild region of southern Arizona that has been a national forest since the early 1900s. It is undergoing a dramatic transformation. It is being transformed from a national forest of great pristine beauty into a forest that resembles more of a trash heap, frankly, than a forest. The environmental degradation of that forest is great, with the thousands and thousands and thousands, hundreds of thousands, actually, of people who come through there every year, and I am not talking about campers and hikers and bikers and picnickers, I am talking about illegal aliens. Because, as it turns out, Mr. Speaker, that particular part of the Nation has become the thoroughfare for the movement of illegal drugs and illegal immigrants into the United States. Like every other phenomenon of this kind, this has happened because we have put pressure on various parts of the border and it has essentially moved more and more people into this corridor. They see it as a very valuable piece of real estate from their point of view because it is rugged, it is difficult to be detected, and so it now has become the point through which a majority of the people coming into this country and a great amount of the illegal narcotics coming into this country will flow. As a result of this traffic, as a result of the sheer volume, we find that the forest, the Coronado National Forest, is under siege. Perhaps 60,000, maybe by now as we speak 70,000 acres have been burned this year so far. Fires start in this forest because UDAs, as they are referred to, as the folks coming through there illegally are referred to by the Forest Service and Border Patrol, that stands for undocumented alien, UDAs have started these fires. They start campfires in the evenings to stay warm and then they simply move on and let the fires burn and much of the forest has been destroyed as a result of it. On their way through the forest both now, as we are talking about both people coming through just seeking jobs and people coming through carrying drugs on their shoulders, this traffic has begun to wear into the land so that if you fly over it, which I did the weekend before last, I spent one day, Saturday, on horseback there and Sunday in a helicopter going over the forest. As you fly over the forest in a helicopter, you look down, what you are looking at is simply a spider's web of trails. These are not Forest Service trails. These are trails that are worn into the land by the thousands and thousands of people entering the country illegally. The trash that is left behind by these folks makes the place look essentially like a landfill more than it does a national forest; thousands and thousands of plastic bottles, trash from the backpacks that are homemade. These are the backpacks that are used to carry the drugs.

This is a picture of someone, and it is hard to perhaps identify him clearly here, but this is a picture of an individual carrying all of this, and that is closer to 75 pounds of narcotics. This one here looks like it is marijuana. But they will create these homemade backpacks. This gentleman is coming through on his own. Oftentimes they come through in larger numbers, 20 and 30 at a time, preceded by someone with an M16 guarding them and being followed by someone with an M16. A lot of times these folks will run into campers and hikers and bikers and people just there to enjoy the national forest. They are confronted by illegals coming through. It is a dangerous situation, to say the least.

But I want to just focus for a little while longer on the environmental aspect of this thing because that is what I went down there to see, Mr. Speaker. I went down to the Coronado National Forest because I had been told that the problems that the Forest Service was facing with UDAs, or undocumented aliens, in this particular area were so great that the forest was actually in jeopardy. So I thought to myself, what an interesting situation. I have been on this floor many, many evenings and certainly I have been in committee meetings and I have been on radio programs and television programs to talk about the problems with massive immigration into the United States. They are many. There are political consequences to massive immigration. There are economic consequences to massive immigration. There are social ramifications, cultural and national security issues that arise as a result of having essentially open borders. All of these things warrant our concern in this body. All of these things warrant the concern of the Nation. But another dimension of this whole problem is, of course, this environmental tragedy that is occurring not just in the Coronado National Forest, I should tell you, but in many areas on the southern border. It is an environmental problem, along with all of the other ones I mentioned.

On our side of the border down there, we have operated a range management program that has successfully brought back many thousands of acres of native grasses, has kept the land from being overgrazed. Maybe I should have put all of that, by the way, in past tense. Because over the last several years, livestock fences are routinely cut or knocked over by undocumented alien individuals trafficking through there. Consequently, livestock from the Mexican side comes into the United States side and begins grazing on the rangeland. This results in the overgrazing of carefully managed public lands. It results in erosion, a shortage of forage for U.S. ranchers who hold valid permits to the land.

These people also utilize and damage livestock water tanks. They break into Forest Service corrals and private buildings. You can see where the livestock have come across and where the land has been essentially denuded, looking very similar to land on the other side of the fence in Mexico, where, of course, there is no range management program. That is the ravages on the land just stemming from overgrazing.

Then, of course, there is the fire issue I brought up. So far this year, over 53 fires have broken out in the Coronado. People on the ground tell us that UDAs and the smugglers starting unauthorized warming fires in the forest likely cause 70 to 90 percent of all the fires. Fires have consumed over 5,000 acres in the tinderbox Coronado, not including the 35,000-acre fire that started the day that we left there, the Ryan fire. It is burning near the communities of Sonita and Huachuca City. We do not know, but now it could be closer to 50 or 60,000 acres. We are not sure.

Not only do we have the problem with these fires being ignited by careless activity as a result of these people coming through the forest but their presence in such large numbers in this forest actually prevents our people from being able to fight the fires effectively. During one fire that was referred to as the Oversight fire earlier this year, which consumed over 2,000 acres, the Forest Service was forced to suspend evening firefighting efforts after a, quote, pack train of 70 to 100 emboldened and potentially armed smugglers walked through a firefighters' camp in the vicinity of the fire. Air tanker fire retardant drops also had to be delayed and coordinated to account for the presence of illegal aliens in this area. So we could not fight the fires they started. We could not do it effectively for fear of harming somebody on the ground because there are so many people in this area. These are not the folks from the United States and other countries who have come there legally, who have paid their fees to come into the forest and who have, in fact, tried to enjoy that forest. These are undocumented aliens in the area. Millions and millions of dollars have been expended to try to fight these fires. As I say, they have to fight them with one hand tied behind them, essentially, because of the presence of so many people.

When these fires start and when they are finally put out, we still have horrendous problems that develop. Erosion, caused by the fact that we have lost the ability for trees and shrubs to actually hold the ground in the area where they have been burned, erosion becomes a horrendous problem.

□ 2130

It is a problem that is not easily remedied or rectified. Along those same lines, the thousands of people, as I mentioned, create these foot paths, these trails, and everywhere we go, we see them. The Forest Service people tell us those are not Forest Service trails, those are UDA trails. And because the undocumented aliens coming

in are fearful of having sensors placed in certain areas detecting their presence, they will use a path for a certain amount of time and then they move over to the side and start another one. So now, they have worn literally thousands of trails into the mountainside of the Coronado.

It is an ugly sight from the air. When one is on the ground, that ugly sight is compounded by the litter. Hundreds of thousands of one-gallon plastic jugs mark the trail that these people take. We can see here that this gentleman is carrying, as I say, several packages of narcotics through the forest, and it is not easy to distinguish on this picture, but they have created their own homemade sort of backpacking materials, which are really just kind of nylon ropes and some sort of nylon material that wraps around it.

Well, when they get to the place where they are going to stop and unload this and subsequently load it into trucks, trucks that come in, by the way, on roads that are not Forest Service roads, but that are carved into the mountain as a result of so much traffic, to come and pick up the drugs that again, they are everywhere. One can see them everywhere. When they get to one of those roads where they can unload this into trucks, they just take all of this stuff off and dump it there.

So periodically, we will see these large, large stacks of trash, trash; just their drug accoutrement trash, I guess I will call it.

This forest and our Nation are under siege. This forest is a microcosm, in a way, of what is happening in America because, of course, there are environmental consequences to massive immigration. Hundreds of thousands and now up to 11 million people we think presently are in the country illegally, plus the massive numbers of people that we allow into the country legally, create enormous problems for us from an environmental standpoint. If one doubts this, go to East L.A. and take a look at what has happened to that part of the city. Take a look at what has happened to many cities where the infrastructure cannot keep up with the number of people coming in, and sprawl is the result, and people move out and move to other areas of the country, like my State.

I happen to represent a district now that includes a county called Douglas County. Douglas County is the fastest growing county in the Nation for the second year in a row. Now, Douglas County is being impacted by immigration and impacted by people who are coming here directly, coming to this county and others in Colorado, directly from other countries, but also people who are coming from cities like Los Angeles and cities in Texas and cities in Arizona that have been impacted by immigration.

So it is a process by which massive immigration comes in at certain points, it causes people to leave the area because of a variety of reasons dealing specifically with quality of life issues, and they go somewhere, and they are coming to Colorado. Our task is to try to keep up with it, to build the infrastructure necessary to provide services and schools, hospitals, roads and all the rest. It is a very expensive undertaking and it is environmentally challenging, to say the least. I have lived in Colorado all of my life, and I must admit to my colleagues that asphalt and concrete are not nearly as appealing as trees and grass, but asphalt and concrete are what are expanding in Colorado, not trees and grass. And that is happening all over the Nation, of course. And the reason is, as I say, immigration, massive immigration in numbers that we have never before witnessed in this Nation.

Presently we bring in about a million people a year legally; add to that about another quarter of a million that we identify as refugees, and about another million or so that we net gain every year from illegal immigration. That 2 to 2.5 million people a year number is about 10 times the number of immigrants that came into this Nation at the height of immigration into the United States, the heyday of immigration in the past century and the previous century to that. Around the early 1900s, 1902 or so, we received about a quarter of a million people a year.

Now, admittedly, the population of the Nation was smaller and so the percentage of immigrants was higher. But I still say that it is becoming more and more difficult to deal with the issue of immigration. It is more difficult now because this is a different country, for one thing. It is a country that will encourage people to come here and not disassociate from the country of their birth; it encourages them to keep their own language. We tell them that their children will be taught in their native language in the schools. We do not force them into English language proficiency which, of course, creates a number of problems educationally. We are creating an impoverished class as a result of refusing to teach children in a language, in this case English, that is the language of commerce, industry, and business and is the language that one must speak somewhat fluently in order to be successful in this country. We are stealing that away from them.

And why? All because we worship at the alter of multiculturalism and we believe and we teach children that whatever culture that was prevalent in the land from which they came is a culture that is better than the one to which they have arrived, the one they are living in today. We teach them that any culture is better than the United States, that any country is better, that any society is better, that all we are as a Nation are people with a heritage that is not worthy of great merit or praise.

Not only that, we provide welfare. When our grandparents came here, great-grandparents, however long ago the bulk of America's ancestors came to the United States, there was no such thing as welfare. People had to work, or they starved. So they got jobs, and menial jobs at first. But then, in order to move up the ladder, they had to learn English in order to improve themselves, to get better jobs. And the combination of the lack of welfare and the lack of this bizarre multiculturalist philosophy, we had people who integrated into American society. Most of them wanted to. Most of them came here for that purpose. They came with a desire to disconnect from their culture, their history, their heritage, to a large extent.

Still, certainly everyone is proud of their heritage and can hang on to certain aspects of it but, for the most part, people came to be Americans. That meant learning English, that meant melting into and becoming part of an American mosaic.

That is changing today, so that we have a different kind of America to which people are coming and a different group of people who are coming. Many coming today do not wish to be part of that mosaic. They wish to remain separate. They want to celebrate not only the achievements of their own societies, of their own culture and history of the past, but they want to supplant that here in the United States.

We have about 6 million people in the United States today that claim dual citizenship. This is new. This is different. We never, ever had anything like that in the past. When people came here, for the most part they wanted to become Americans. That meant giving up their citizenship.

Mr. Speaker, when one takes an oath to become an American citizen, one says they disavow all the rest, they disavow any allegiance to any foreign government, potentate, and there is a whole large thing one goes through to describe their task. Well, people take that oath, but they do not live up to it, because they will retain their citizenship and retain voting rights in other countries, and they are encouraged to by other countries.

We are creating a nation that Samuel Huntington in his book ''A Clash of Civilizations'' warns us will be our own destruction. He calls it a ''cleft society,'' one cut into. Two sets of principles, two sets of ideas, two cultures, two languages, at the minimum.

Of course, there are places where many more languages and cultures and everything are maintained in the country. This is the Balkanization of America. It is different today than it was in the past. Certainly from our Nation's beginning, there has been a debate over how many immigrants should come in, from what country, for what purpose. And many of these debates, unfortunately, were based upon the basis of emotions, fear, racism, xenophobia.

So therefore, today to talk about immigration in a way that is a negative or to make any sort of critical remarks about it, all of those old stereotypes are brought out by the opponents of

people who want education reform. And therefore, it is fearful to stand up and talk about this issue in a public forum. But it must be talked about, and it certainly should be talked about here in this body.

Mr. Speaker, this supposedly is the marketplace of ideas, this place, where we should never shrink from bringing to the attention of the Nation and our colleagues issues of great importance to our own future and, certainly massive immigration is something that is incredibly significant when we are talking about the future of the Nation, and it should be discussed. We should determine as a Nation, as a Nation we should determine how much immigration we want, for what purpose, for how long, all of these things a sovereign nation does.

There are people, Mr. Speaker, who wish to abandon the concept of a sovereign nation. There are many people who believe that borders are no longer relevant, that they are anachronistic, as a matter of fact; that they are impediments to the free flow of goods and services, and that we should abandon them for all intents and purposes, and that in the United States, we should adopt a model similar to the model prevalent in Europe today referred to as the European Union: Common currency, the essential elimination of borders, and the amalgamation of a lot of people into one sort of quasi-governmental entity.

Well, okay. That is a point of view. It is a point of view I do not share, I do not believe in, but it is a point of view, and it should be debated openly. But my concern is, Mr. Speaker, that we will reach that point in a relatively short period of time and we will turn back and say, how did this occur? How did it happen that we lost essentially our own sovereignty as a Nation? And we will be surprised by the fact that America is a different place than it was a short time ago.

Now, as I say, if we make that decision in this body, if we make that decision in a democratic fashion, a bill is introduced to abandon the borders, it passes, the President signs it, okay, fine. But if we make this decision in a de facto way, that is what is disconcerting. Because I believe, Mr. Speaker, that a majority of Americans today do not want that, yet that is where we are going. That is actually the direction that this government is taking, our administration, and even this Congress. Some are doing it purposely. Some want that end result that I have just described.

□ 2145

Some are doing it for other reasons. Massive immigration into the United States is beneficial to us, to certain people, to certain groups, and is a very politically sensitive topic. Let us be candid about it.

The reality is that massive immigration into the United States is supported by one party, in this case, the Democrats, because they know that massive immigration will accrue to their benefit politically. For the most part, immigrants going into the United States will, as they become citizens, and sometimes, unfortunately, even before they become citizens, cast votes. When they cast votes, they will do so for the Democratic party. That has been historically the case.

On our side of the aisle, on the Republican side of the aisle, we are hesitant to try to stop immigration, or reduce it, I should say, to manageable levels because we hear from our constituents in the business community who say, we need cheap labor. There are many jobs that we have available that Americans will not take. I hear that all the time.

The H–1B is an interesting example of that. This is a category of visa, the H–1B visa, that we now give out to people to come into the United States who have certain talents in the area of high-tech, especially. We are told that there are not enough Americans to fill the jobs in the high-tech community.

Now, Mr. Speaker, I do not know what is happening in others' States, but I will tell the Members that in mine there are plenty of workers available, because thousands and thousands have been laid off in that particular industry. Yet, we still bring in 195,000 H–1B visa recipients every year to take the jobs of Americans who have been laid off. But this is an example of the kind of pressure that our side of the aisle is under, to not do anything about immigration.

Then also on our side there are people with a libertarian perspective and libertarian philosophy. That is what I described earlier: Borders are anachronisms. They really are unnecessary. We should eliminate them. People should move from country to country at their whim, get jobs as they are available, and we should not be actually trying to determine who are coming across these borders.

Now, I mean, that sounds bizarre to some people, but I guarantee that this is a strong sentiment among many of my colleagues. It is certainly a sentiment among some of the think tanks in this Nation, the Cato Institute being the foremost of them, espousing this libertarian philosophy. Certainly the editorial page of The Wall Street Journal pushes the same kind of philosophy.

So it is not something that I am telling the Members here that is coming about in some sort of sub rosa fashion. These are people who believe in this, who push this concept. Now, they were set back a little after September 11. They could not talk about open borders after that as willingly as they had in the past because people would say, what are you, out of your mind? Open borders? Are you crazy? The people who came in here to do such damage to this country, the people who came in here and hijacked these planes and drove them into buildings, they all came in here on visas. Or some of them, of course, had overstayed their visa, and some were here illegally, but they were all immigrants. They were all noncitizens of the United States. Are you suggesting in your right mind that we should simply ignore people who come across these borders?

So because the sentiment of the American people was so quickly riveted here against open borders, we do not hear much about it. But I guarantee that the sentiment is not gone and the desire to move in that direction has not dissipated. It is simply going dormant for a while. It is going through their quiet period, if you will. They do not want to talk about it, but I assure Members, that is what they want to accomplish.

So we move in that direction in a variety of ways. We refuse to do anything to significantly change the nature of the immigration service. We have passed a bill out of here that everybody touted a few a few weeks ago, or excuse me, last week. We passed a bill out of here that was touted as the reform of the INS, the Immigration and Naturalization Service. Do I not wish, do I not wish it was the reform of the INS.

But it is so like us in this building, in this body, to create an illusion because we know there is great public sentiment out there for reform, so we pass something that we call INS reform. But is it reform? Not at all. Is it better than what we have today? Yes.

I often liken it to giving the Titanic an extra lifeboat. Before it left, if we knew what we know now and somebody said, do you think we should put another lifeboat on, we would say, well, yes, sure. That is better. But it is not the solution. But the person goes, that is all we are going to do right now. We will call it the salvation of the Titanic. Of course it is not. Of course it is not.

I assure the Members that simply dividing the INS into two parts and keeping it in Justice, the Department of Justice, and keeping, for the most part, the same people as the administrators of that agency, the same people who are completely incompetent and incapable today of administering that agency will be the people who will be unable to administer the new agency that we are creating in the Department of Justice.

What are we doing about all of the other parts of border control that are under other agencies, and making it a confusing mish-mash of responsibilities: Customs, Agriculture? All these agencies have different responsibilities for border control. We are doing nothing about that. There will still be confusion, overlapping authority, indirect lines of communication, inability to communicate among all the various groups that have some sort of responsibility.

All that will be there. It will still be on the border, each one honoring points being run by a different agency, so that the people who want to come into the country illegally or to ship

drugs in will be able to look through binoculars, as they do today, sitting on a hill overlooking the port of entry, and see which agency is handling which drive lane. Then they radio down and say, if they are smuggling drugs, they will want to go through this lane because that is being handled by this agency and they are less concerned about that; and if they are smuggling people, it is over here. That is what happens today. That will not change.

We will still have an agency managed by incompetent people, having been shown their incompetence, or unwillingness. In some cases, they are competent individuals, but they are completely unwilling to actually uphold the law of the land when it comes to immigration control, Border Patrol. They do not believe in it. Even the present head of the INS has said he does not like that part of his job. He does not like being a policeman.

This gentleman, who should have been, of course, dismissed, if not when we recognized the failures of the INS after 9/11 then certainly when we, 6 months subsequent to 9/11, sent a couple of the hijackers their visas, although they were dead.

But he is still there. In fact, Mr. Speaker, not one single person in this great debacle we call the INS, and all of the things that we know that have happened that have been documented over and over again, the failures of the system, not one person has been dismissed, not one. What makes us think for a moment that just changing the nameplate on the door will change the way people act?

But we have people on the ground who are trying, who are working as hard as they can, people in the Forest Service, people in the Border Patrol who face this day in and day out, this particularly in the Coronado National Forest, but, of course, it is like this in many, many places on our borders.

This is a couple of pictures I took of a fence, a barbed wire fence. This has a cattle guard that goes through it here, and this has a regular gate over here. There is nothing else here, nothing else for miles and miles except a rather well-used road.

This road is not on any map, and neither is this one, because this road is a road that is used by illegals, primarily by illegals to come into the country; yes, to come across the border. That fence is the border between the United States and Mexico. That cattle guard is the port of entry, if you will.

Up here, there is a sign on our side of the border. I have to get it a little closer to me to see this and read it. It says here: ''All persons and vehicles must enter the United States at a designated port of entry only.'' By the way, this is facing the United States side. ''All persons and vehicles must enter the United States at a designated port of entry only. This is not,'' underlined, ''this is not a designated port of entry. Any violation is,'' blah blah, and then here it is printed in Spanish.

We had the same sign over here on this side of the border, the same signs telling American citizens or anybody else that this is not a port of entry, but certain people on the Mexican side would come across every night, steal the signs and tear them down.

They put them up on our side. We welded them up on two metal posts. They came one night with a torch and took them down, cut them down, all because this happens to be an area that is heavily trafficked also by hikers and people visiting, tourists. Sometimes they will wander across into Mexico. When they do, they are grabbed by the Mexican police, taken to jail, and essentially extorted of all of their money. What I mean by that is they are held because they are told, well, you are here in Mexico illegally and it is going to cost you so much to get out. It is blackmail. That is all there is to it. They take down the signs on our side so as to hopefully track people coming across from our side to theirs.

But this is the border. Now, I am told that the administration has come out with something they call a ''smart border'' program. ''Smart borders,'' I do not know exactly what that means, of course, but I have an idea that there is going to be a lot more technology and that sort of thing. I am all for it.

It will be interesting to see how long these gates remain, because, by the way, they were made into gates because they simply trampled down the fence so many times that they gave up putting it back up. They just left it and said, I cannot stop it anymore.

This is an example, perhaps, of smart border. It is an example of what the people on the border have to put up with constantly.

There are a total of four U.S. Forest Service personnel to guard 60 miles of border along that Coronado forest. They do so with the help of I am not sure how many Border Patrol people, but they do a great job. I want to tell the Members right now that I want to wish every one of them the very best. I understand what they are up against.

I want to mention John McGee, who is the forest supervisor for the Coronado forest; Rocky Stone, who works for the Arizona High-Intensity Drug Trafficking Area; Dan Bauer, the National Forest Service Drug Enforcement Program coordinator. These are some of the folks I went down there with. There is Richard Padilla and Greg Zelo of the Forest Service, special agents.

All these people were immensely helpful in getting us a good, clear picture of what is going on on this border.

□ 2200

Let me tell you one of the most peculiar and interesting aspects of the trip I took down there. It was not just to see, I mean, I was surprised by and certainly distressed by the amount of environmental degradation that is occurring in this forest as a result of the thousands of people coming through there illegally.

But there is another aspect of this thing that was fascinating. During a briefing that we had the first day by Mr. Stone with the High Intensity Drug Trafficking Area folks, they explained to us a project they are working on and a process called ''cobija,'' which is Spanish for blanket and it just means essentially that they are trying to get the various agencies, Customs and Border Patrol and Forest Service all of the agencies that have responsibility for border protection to sort of bring together all of the information that they have, they have accumulated over the course of the last couple of months since they last met and so they can plot out where best to deploy their resources. Because, of course, during certain periods of time you recognize that you are having more traffic of a certain nature through certain parts of the border, more heavy drug trafficking coming through here, more heavily in the area of people coming through smuggling over here, smuggling of guns. In this case from north to south is a huge problem.

So they try and figure out where they can deploy their resources the best, and they try to do that by getting all the information from all the agencies together. This is one of the slides that we saw during this briefing. And I had to stop them because I said, What do you mean here? It says here UDAs by border patrol sectors, and this one here is a major drug trafficking organization. But over here this one is talking about the number of people that were actually arrested or that they got in the last year or so, 400,000. It was not the last year. I am sorry. That was during the last period of time that they met. 403,000 through that Tucson area, which is where we met. It is a huge number.

We got to talking about this, and they showed me another slide that said incursions of the Mexican Government into the United States territory in the year 2001. And I was taken aback by that and I said, What do you mean incursions into the United States? They said, That is just it. We have 23 times in the year 2001. We confirmed incursions of the Mexican military or members of the federal police in Mexico who came into the United States. And we confronted them at some point. We met them. That is how we knew they were here. And sometimes it became a very tense situation with guns drawn on both sides. And in most cases the members of the military withdrew; the members of police withdrew but in some cases shots were fired, and it became a very difficult thing to deal with.

I just was surprised by that because I had never heard of that. I mean, I guess I ask you, Mr. Speaker, have you ever heard of, did you know that just last year foreign troops, in this case Mexican government troops and/or members of the foreign police establishments, came into the United States without our permission? You have to ask yourself, of course, why.

We have found out, by the way. I should say we found out this was not unique to 2001, that over the course of the last 7 years or so we have had over 100 documented incursions. And you have to say, well, why? And I asked that question. What do you mean? Why were they coming? And they could only speculate. And I said, Well, could it be that they were lost? And they found that quite humorous, the folks I was talking to, and laughed and said, Everybody down here knows where the border is. No, the people who came down here knew they were on our side.

What were they doing on our side? And the speculation was it was in conjunction with some drug trafficking activities, that perhaps members of the military or the police down there were protecting a cartel moving some product through the area, or perhaps they were creating a diversion so that this drew our border people away while it did move through another area. We are not sure yet. We are not sure. But I wrote a letter to the Mexican President Vicente Fox, and I asked him to explain to me what he knew about it, and, more importantly, what he was doing to stop it. Although I did not receive a letter from him, I received a letter from the Mexican ambassador to the United States that told me essentially that he did not like the tone of my letter and that these issues were handled satisfactorily, that in each case some explanation was made and everybody is happy about it.

Well, I know that not to be true. I know when I talked to the State Department they were concerned about this. They told me of a time around Nogales, Arizona, just a short time ago, told me of an incident that occurred just a short time ago, where a group of maybe 100 illegals were coming into the United States. They were hiding in a culvert in and around Nogales. They were all carrying large amounts of drugs in, smuggling drugs into the United States; but we got them. We arrested them, and about half of them were members of the Mexican military.

Now, I do not know if these guys were on leave or something; but I do know that the problem of corruption in the Mexican military and the police is endemic. We all know that. There is not a soul in here that does not understand that corruption in Mexico is debilitating for the government. And I do believe that Vicente Fox is going to try to do something about that, to try and produce a better situation down there. But I want to know what they are going to do, and I want to know now. I want to now how they are planning to stop these incursions, because, Mr. Speaker, this is a very dangerous situation.

Not only do I believe that these incursions are a result of drug trafficking into the United States, and that these people are participants in that in some way or other, but I also believe that it is a very dangerous situation. At some point in time someone will be killed here in the confrontation because these people are heavily armed, and they are coming up against our folks who are armed. And one of these days something very ugly is going to occur.

I want to know what the Mexican Government is doing to stop this; and do not tell me they were lost. Do not tell me these people came wandering across the border heavily armed, retreated only when they came across some part of the American Forest Service or Border Patrol, and do not tell me they were lost. That is not true. They were here for a reason. I want to know what it is, and I want an answer; and I will not stop discussing this until I get one.

I know it is embarrassing to the Government of Mexico. It may be embarrassing to our own government that does not want these issues to be dealt with openly. Even the State Department told me, look, we are trying to deal with this at the highest levels. We are trying to negotiate. Well, it has not worked. It has been 7 years as it turns out. I was surprised when I heard about it. Twenty-three incidents in 2001. It turns out it was not unique. This was not an aberration, the year 2001. It has been happening a lot. It is starting to increase. Talk to the people down there at the border. They will tell you the problems they face. They will tell you these people are not lost. They will tell you that they are armed. They are dangerous. They are worried about what is going to happen when they confront hikers and bikers and campers in the national forest. This is a dangerous situation.

What are we going to do about it? There is a wall that is built. There is a wall that separates the countries that goes through Nogales for 3 or 4 miles. It is about 15 feet high or so. I suggest that that wall should be continued at least along that forest border. And, yes, it will simply move people around it. I know that is true, but at least we can start to protect that forest in that area. Because if you are an environmentalist, Mr. Speaker, if anyone in this body has the slightest concern about the environment, they should go to the Coronado National Forest. They should begin doing all the things they do so effectively in any other part of the United States when they believe that the environment is being jeopardized: chain themselves to trees and start protests and demand action on the part of the government, and start a letter-writing campaign and boycott certain industries, or I do not know. Do whatever you want to do as environmental activists, but do it for the sake of this forest.

Why is it, Mr. Speaker, I ask you, why is it that we have not heard a word out of the Sierra Club or Friends of the Environment or any of the myriad of organizations that call themselves environmentally sensitive? Why have we not heard a word about the Coronado Forest? I will tell you why. It is because they do not want to say anything that would be thought to be derogative of immigration. Well, you cannot have it both ways. In this case, immigration, massive immigration through this forest, massive illegal immigration through this forest is causing the problem. We have to do something about it. If it is a wall, it is a wall. If it is more border patrol, that is what we need. If it is an agreement with Mexico to actually clean up their act, then that is what we need.

But I do not know that we will get it, Mr. Speaker. I do not hold any illusions here about the degree to which we will press this issue for fear that we will lose votes among Hispanics here in the United States, for fear that Mexico will take affront at this. But I will tell you, Mr. Speaker, when we become concerned enough about our national security to recognize that it is not just drug traffickers, not just people looking for jobs in Tucson who are coming across this border or who could come across this cattle guard, but it is the next Mohammed Atta.

Today they are crossing through these gates and over this fence carrying literally tons among the accumulated mass of narcotics coming across, literally tons of narcotics being carried on shoulders into the United States. What is to say that tomorrow or yesterday somebody did not come across this border with 50 pounds of something much more dangerous on his shoulders?

Smart border? I do not think so. This is a national security problem. It is an environmental problem. It is a cultural problem. It is an economic problem. It is a political problem. It is all of those things. To ignore it is an act of incredible idiocy. These things have implications for us, for who we are today, and who we will be tomorrow as a Nation.

If Mexico is our friend and ally, as I often hear them referred to, I would ask again, What are you going to do about this? How are you going to help us stop this? How are you going to help us stop people coming into the United States? Why do you not stop pressuring us to give amnesty to those people who are here illegally? Why is it so important to you in Mexico, I would say, Mr. Speaker, why is it so important to you to have us give amnesty to people who are here illegally, especially from Mexico? What does that matter? How come that is a major foreign policy issue?

Now, these questions are questions for every American citizen. They have to ask themselves if, by the year 2100, they want a Nation of a little over a billion people, because that is exactly where we are headed now if we keep the population growth at the present level. And 90 percent of that population growth by the year of 2100 when we hit a billion will be as a result of immigration. Is that okay? Is that where we want to go? Some do. It turns into political hay for them, political benefit. Others do. It turns into cheap labor and the bottom line, the immediate bottom line.

But I ask all of my colleagues to think beyond the immediate. Think about the Nation. Think about the implications of massive uncontrolled immigration into this country. Think about September 11. How many of those days do you want to relive?

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ACKERMAN (at the request of Mr. GEPHARDT) for today on account of a death in the family.

Ms. CARSON of Indiana (at the request of Mr. GEPHARDT) for today on account of her primary election.

Mr. KIND (at the request of Mr. GEPHARDT) for today and May 8 on account of official business.

Mr. BURTON of Indiana (at the request of Mr. ARMEY) for today and the balance of the week on account of illness in the family.

Mr. CRANE (at the request of Mr. ARMEY) for today and May 8 on account of personal reasons.

Mr. OSE (at the request of Mr. ARMEY) for today and the balance of the week on account of a death in the family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. JOHN) to revise and extend their remarks and include extraneous material:

Mr. PALLONE, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

The following Members (at the request of Mr. GRUCCI) to revise and extend their remarks and include extraneous material:

Mr. RAMSTAD, for 5 minutes, May 8.

ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4156. An act to amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property.

□ 2215

ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 8, 2002, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6643. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sodium Starch Glycolate; Exemption from the Requirement of a Tolerance [OPP–2002–0018; FRL–6833–9] (RIN: 2070–AB78) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6644. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Rhode Island; Negative Declarations [RI 044–6991a; FRL–7170–1] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6645. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 151–1151; FRL–7170–6] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6646. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois [IL207–1a; FRL–7159–9] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6647. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 155–1155a; FRL–7175–3] received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6648. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District [CA 247–0322a; FRL–7158–4] received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6649. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to 50 U.S.C. 1541; (H. Doc. No. 107–210); to the Committee on International Relations and ordered to be printed.

6650. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Pascagoula River, Mississippi [CGD08–02–005] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6651. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01–02–038] (RIN: 2115–AE47) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6652. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Florida East Coast Railroad Bridge, St. Johns River, Jacksonville, Florida [CGD07–02–032] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6653. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations; Great Egg Harbor Bay, New Jersey [CGD05–02–006] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6654. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: New Rochelle Harbor, NY [CGD01–02–036] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6655. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Fore River, Me [CGD01–02–040] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6656. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Long Island Sound, Thames River, Great South Bay, Shinnecock Bay, Connecticut River and the Atlantic Ocean Seventeen Annual Fireworks Displays [CGD01–01–077] (RIN: 2115–AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6657. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Ports of Houston and Galveston, Texas [COTP Houston-Galveston–02–006] (RIN: 2115–AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6658. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; California and Arizona Border on the Colorado River [COTP San Diego 02–009] (RIN: 2115–AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6659. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Anchorages and Security Zones; Oahu, Maui, Hawaii, and Kauai, HI [COTP Honolulu 02–001] (RIN: 2115–AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6660. A letter from the Parealegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Models MS 892A–150, MS 892E–150, MS 893A, MS 893E,MS 894A, MS 894E, Rallye 150T, and Rallye 150ST Airplanes [Docket No. 2001–CE–41–AD; Amendment 39–12672; AD 2002–05–04] (RIN: 2120–AA64) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6661. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC–12 and PC–12/45 Airplanes [Docket No. 2001–CE–07–AD; Amendment 39–12687; AD 2002–06–10] (RIN: 2120–AA64) received April 16,

2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6662. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company P206, TP206, TU206, U206, 207, T207, 210, P210, and T210 Series Airplanes [Docket No. 2001–CE–42–AD; Amendment 39–12695; AD 2002–07–01] (RIN: 2120–AA64) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6663. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL–600–2C10 (Regional Jet Series 700 and 701) Series Airplanes [Docket No. 2002–NM–70–AD; Amendment 39–12688; AD 2002–06–51] (RIN: 2120–AA64) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6664. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Special Rules for Certain Transactions Where Stated Principal Amount Does Not Exceed $2,800,000 (Rev. Rul. 2001–65) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6665. A letter from the Chief, Regulation Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update (Notice 2001–65) received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6666. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Expansion of Safe Harbor Provisions Under Notice 88–129 (Notice 2001–82) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6667. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2002–2) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6668. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6669. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Elimination of User Fees for Certain Determination Letter Requests Pursuant to Section 620 of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Notice 2002–1) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6670. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Distributions of Stock and Securities of a Controlled Corporation (Rev. Rul. 2002–1) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6671. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definitions and Special Rules For Purposes of Minimum Survivor Annuity Requirements (Rev. Rul. 2001–67) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6672. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—North Dakota State University v. United States—received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6673. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Robert L. Beck v. Commissioner—received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6674. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Disclosure Initiative for Certain Transactions Resulting in Waiver of Certain Penalties Under Section 6662 of the Internal Revenue Code (Announcement 2002–2) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6675. A letter from the Chief, Regulation Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update (Notice 2002–9) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committee were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. House Joint Resolution. Resolution disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002; adversely (Rept. 107–437). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. S. 378. An act to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the ''Paul Simon Chicago Jobs Corps Center'' (Rept. 107–438). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3694. A bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century; with an amendment (Rept. 107–439). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2818. A bill to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971 (Rept. 107–440). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3954. A bill to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, and for other purposes: with an amendment (Rept. 107–441). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN. Committee on Resources. H.R. 4044. A bill to authorize the Secretary of the Interior to provide assistance to the State of Maryland for implementation of a program to eradicate nutria and restore marshland damaged by nutria; with an amendment (Rept. 107–442). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN. Committee on Energy and Commerce. H.R. 4560. A bill to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting (Rept. 107–443). Referred to the Committee of the Whole House on the State of the Union.

Mr. REYNOLDS. Committee on Rules. House Resolution 414. Resolution providing for the disposition of the joint resolution (H.J. Res. 84) disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002 (Rept. 107–447). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER. Committee on the Judiciary. House Resolution 103. Resolution referring the bill (H.R. 1258), entitled ''A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad'', to the chief judge of the United States Court of Federal Claims for a report thereon (Rept. 107–444). Referred to the Private Calendar.

Mr. SENSENBRENNER. Committee on the Judiciary. H.R. 486. A bill for the relief of Barbara Makuch (Rept. 107–445). Referred to the Private Calendar.

Mr. SENSENBRENNER. Committee on the Judiciary. H.R. 487. A bill for the relief of Eugene Makuch (Rept. 107–446). Referred to the Private Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following title were introduced and severally referred, as follows:

By Mr. SMITH of Michigan (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOEHLERT, Mr. HALL of Texas, Mr. SMITH of Texas, Mrs. MORELLA, Mr. HONDA, Mr. EHLERS, Mr. BAIRD, Mr. ETHERIDGE, Mr. NETHERCUTT, Mrs. BIGGERT, Mr. BARCIA, Mr. GILCHREST, Mr. BACA, Mr. CALVERT, Mr. UDALL of Colorado, and Ms. LOFGREN):

H.R. 4664. A bill to authorize appropriations for fiscal years 2003, 2004, and 2005 for the National Science Foundation, and for other purposes; to the Committee on Science.

By Mr. CAPUANO (for himself and Mr. FLETCHER):

H.R. 4665. A bill to authorize the Secretary of Health and Human Services to award grants to associate degree schools of nursing and professional nursing organizations to improve nursing education, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TOM DAVIS of Virginia (for himself, Mr. EHRLICH, Mr. HOYER, Mrs. MORELLA, Mr. GILCHREST, Mr. FORBES, Mr. MORAN of Virginia, Mr. SCOTT, Mr. WYNN, Mr. HOLDEN, Mr. HOEFFEL, Mr. HINCHEY, Mr. WOLF, Mr. GOODLATTE, Ms. NORTON, Mr. BARTLETT of Maryland, Mr. CARDIN, Mr. CUMMINGS, and Mr. WALSH):

H.R. 4666. A bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed; to the Committee on Transportation and Infrastructure.

By Mr. FOLEY (for himself, Mr. LAMPSON, Mr. GILMAN, Mr. POMEROY, Mr. REYES, Mr. GREEN of Wisconsin, Mr. WAMP, Mr. DIAZ-BALART, Ms.

ROS-LEHTINEN, Mr. CRENSHAW, Mr. CAMP, Mr. WICKER, Mr. PUTNAM, Mr. JONES of North Carolina, Mr. HOEKSTRA, Mr. RYAN of Wisconsin, Mr. DELAY, and Mrs. WILSON of New Mexico):

H.R. 4667. A bill to protect children from exploitive child modeling, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself and Mr. UDALL of Colorado):

H.R. 4668. A bill to amend the Internal Revenue Code of 1986 to expand the renewable resources production tax credit to include additional forms of renewable energy, and to expand the investment tax credit to include equipment used to produce electricity from renewable resources; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. KILPATRICK, Mr. OWENS, Ms. LEE, Mr. CONYERS, Mr. HILLIARD, Ms. MCKINNEY, Mr. BLAGOJEVICH, Mr. RUSH, Mr. PAYNE, Ms. VELAZQUEZ, Mr. RANGEL, Ms. WATERS, and Mr. CUMMINGS):

H.R. 4669. A bill to provide for racial equity and fair treatment under the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Mr. KOLBE (for himself, Mr. STUMP, Mr. UDALL of Colorado, and Mr. UDALL of New Mexico):

H.R. 4670. A bill to reauthorize the United States Institute for Environmental Conflict Resolution, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATSUI (for himself, Mr. RANGEL, Ms. DELAURO, Mr. DOGGETT, Mr. CARDIN, Mr. POMEROY, Mr. BECERRA, Mr. STARK, Mr. LEVIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. MCNULTY, Mrs. THURMAN, Mr. HOLDEN, Mr. MALONEY of Connecticut, Mr. PALLONE, Ms. BROWN of Florida, Ms. KAPTUR, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. FILNER, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. KUCINICH, Mr. FARR of California, Mr. MURTHA, Mr. SANDLIN, Mr. KILDEE, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. KIND, Mr. RODRIGUEZ, Mr. NADLER, Mr. KANJORSKI, Ms. LEE, Ms. NORTON, Ms. BALDWIN, Ms. KILPATRICK, Mrs. JONES of Ohio, Mr. THOMPSON of California, Ms. BERKLEY, Ms. LOFGREN, Ms. WOOLSEY, Mrs. LOWEY, Ms. WATSON, Mr. MEEHAN, Ms. MCKINNEY, Mr. DINGELL, Mr. HINCHEY, Ms. MCCOLLUM, Ms. SLAUGHTER, Ms. MCCARTHY of Missouri, Mr. DAVIS of Illinois, Mr. BENTSEN, Mrs. CLAYTON, Mr. WAXMAN, Mr. BAIRD, Mrs. DAVIS of California, and Mr. BONIOR):

H.R. 4671. A bill to amend title II of the Social Security Act to improve benefits for aged survivors, disabled survivors, and divorced spouses, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JEFF MILLER of Florida:

H.R. 4672. A bill to provide that, if an individual is expelled from Congress, any Member service previously rendered by that individual shall be noncreditable for purposes of determining eligibility for or the amount of any benefits which might otherwise be payable out of the Civil Service Retirement and Disability Fund based on the service of that individual, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA:

H.R. 4673. A bill to amend the Public Health Service Act to provide for voluntary reporting by health care providers of medication error information in order to assist appropriate public and nonprofit private entities in developing and disseminating recommendations and information with respect to preventing medication errors; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 4674. A bill to assist local governments in conducting gun buyback programs; to the Committee on the Judiciary.

By Mr. RAMSTAD (for himself, Mr. CRANE, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. ENGLISH, Mr. MCINNIS, Mr. FOLEY, and Mr. BRADY of Texas):

H.R. 4675. A bill to amend the Internal Revenue Code of 1986 to provide that the tax on recognized built-in gain of an S corporation shall not apply to amounts reinvested in the business; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4676. A bill to amend title 10, United States Code, to provide that military retired pay for nonregular service shall be paid without regard to the age of a person otherwise eligible for such retired pay, rather than commencing when an otherwise eligible person attains age 60; to the Committee on Armed Services.

By Mr. YOUNG of Alaska:

H.R. 4677. A bill to clarify the authority for use of snowmachines in certain areas of Denali National Park and Preserve, and for other purposes; to the Committee on Resources.

By Mr. FOLEY (for himself and Mr. FARR of California):

H. Con. Res. 397. Concurrent resolution supporting National Tourism Week; to the Committee on Government Reform.

By Mr. FROST:

H. Res. 413. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. CANNON.

H.R. 122: Mr. BOEHLERT, Mr. GILLMOR, Ms. DUNN, and Mr. PORTMAN.

H.R. 168: Mr. CANNON.

H.R. 548: Ms. ROS-LEHTINEN, Mr. CANNON, Mr. MALONEY of Connecticut, and Mr. TERRY.

H.R. 786: Ms. KILPATRICK and Mr. KLECZKA.

H.R. 925: Mr. HOEFFEL.

H.R. 1073: Ms. ROS-LEHTINEN.

H.R. 1090: Mr. MCDERMOTT, Ms. BALDWIN, and Mr. JOHN.

H.R. 1134: Mr. PRICE of North Carolina.

H.R. 1186: Mr. TOWNS.

H.R. 1265: Ms. CARSON of Indiana.

H.R. 1354: Mr. VITTER.

H.R. 1371: Mr. BALDACCI.

H.R. 1455: Mr. CANNON.

H.R. 1460: Mr. CANNON.

H.R. 1465: Mr. WAXMAN.

H.R. 1475: Mr. CLAY and Mr. BASS.

H.R. 1494: Mr. MATSUI and Mr. REYES.

H.R. 1522: Mr. HILLIARD.

H.R. 1581: Mr. GORDON.

H.R. 1642: Mr. BENTSEN.

H.R. 1808: Mr. BLAGOJEVICH and Mrs. CLAYTON.

H.R. 1841: Mr. GRUCCI, Mr. HOEFFEL, and Mrs. NAPOLITANO.

H.R. 1919: Mr. WILSON of South Carolina, Mr. MCGOVERN, and Mr. DUNCAN.

H.R. 1987: Mr. RYAN of Wisconsin and Mr. CANTOR.

H.R. 2058: Mr. BAIRD.

H.R. 2117: Ms. DEGETTE.

H.R. 2125: Mr. LAFALCE.

H.R. 2148: Mr. DAVIS of Illinois and Ms. WATSON.

H.R. 2373: Mr. GREEN of Texas, Mr. PENCE, and Mr. PAUL.

H.R. 2419: Mr. SANDERS and Mr. CHAMBLISS.

H.R. 2570: Mr. JACKSON of Illinois.

H.R. 2663: Mr. GIBBONS.

H.R. 2723: Mr. TERRY.

H.R. 2874: Mrs. CAPPS, Mr. FRANK, Ms. SLAUGHTER, Mr. HALL of Ohio, Ms. BALDWIN, and Mr. PAYNE.

H.R. 2953: Mr. BACA.

H.R. 3109: Mr. GILMAN, Mr. FRANK, Mr. HASTINGS of Florida, Ms. BROWN of Florida, and Mr. BISHOP.

H.R. 3130: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. BORSKI.

H.R. 3238: Mr. CUMMINGS, Ms. DEGETTE, and Mr. LAFALCE.

H.R. 3246: Mr. BALDACCI.

H.R. 3253: Mr. FILNER.

H.R. 3292: Mr. HOBSON.

H.R. 3321: Ms. NORTON.

H.R. 3414: Mr. CARSON of Oklahoma and Mrs. NAPOLITANO.

H.R. 3450: Mr. LATHAM, Mr. KINGSTON, Mr. PASCRELL, and Ms. HOOLEY of Oregon.

H.R. 3464: Mr. TIERNEY, Ms. MCCARTHY of Missouri, and Mr. KLECZKA.

H.R. 3580: Mr. WHITFIELD and Mr. NORWOOD.

H.R. 3581: Mr. SHERMAN.

H.R. 3741: Mr. GRUCCI, Mrs. MALONEY of New York, and Mr. TRAFICANT.

H.R. 3794: Mr. CAPUANO, Mr. ABERCROMBIE, Mr. BORSKI, and Mr. SAXTON.

H.R. 3833: Mr. MCINTYRE.

H.R. 3834. Mr. BOOZMAN, Mr. ANDREWS, and Mr. LUCAS of Kentucky.

H.R. 3884: Mr. MOORE.

H.R. 3894: Mr. KLECZKA.

H.R. 3915: Ms. LEE and Mr. KENNEDY of Rhode Island.

H.R. 4000: Mr. ISAKSON, Mr. MCHUGH, Mr. BAIRD, Mr. BONIOR, Mr. FRANK, and Mr. STUPAK.

H.R. 4003: Mr. FALEOMAVAEGA.

H.R. 4015: Ms. BROWN of Florida, Mr. SHUSTER, Mr. RODRIGUEZ, Mr. PICKERING, Mr. Lynch, Mr. FALEOMAVAEGA, Mr. EDWARDS, Mr. FILNER, and Ms. MCKINNEY.

H.R. 4018: Mr. FOLEY and Mr. QUINN.

H.R. 4034: Mr. LANGEVIN and Mr. FATTAH.

H.R. 4066: Mr. VISCLOSKY, Mr. LAMPSON, Ms. WATERS, Mr. SAXTON, Mr. OWENS, Mr. WAMP, Mr. PASCRELL, and Mr. KANJORSKI.

H.R. 4071: Mr. WAXMAN, Mr. TOWNS, and Mr. BASS.

H.R. 4073: Mr. BEREUTER, Mr. WAXMAN, Mr. CLEMENT, Mr. ISAKSON, Mr. HALL of Ohio, Ms. LEE, Ms. ROYBAL-ALLARD, Mr. MCNULTY, Mr. MICA, Mr. YOUNG of Alaska, Mr. WALSH, Mr. CASTLE, Ms. MILLENDER-MCDONALD, Mrs. DAVIS of California, Mr. GREENWOOD, Mrs. MORELLA, and Mr. MORAN of Virginia, Ms.

BROWN of Florida, Mrs. MEEK of Florida, Mr. SMITH of Washington, Ms. ESHOO, Mr. KIRK, Mr. NETHERCUTT, Mr. WEXLER, and Ms. WOOLSEY.

H.R. 4085: Mr. SHOWS, Mr. FALEOMAVAEGA, Mr. LYNCH, Mr. EDWARDS, Mr. FILNER, Ms. MCKINNEY, and Ms. CARSON of Indiana.

H.R. 4086: Mr. STRICKLAND, Mr. DAN MILLER of Florida, Mr. CLYBURN, Mr. LANGEVIN, Mr. HONDA, Mr. LATOURETTE, Mr. WOLF, and Mr. GRAHAM.

H.R. 4090: Mr. GREEN of Wisconsin, Ms. HART, and Mr. PITTS.

H.R. 4152: Mr. BISHOP.

H.R. 4169: Mr. COLLINS.

H.R. 4235: Mr. OWENS.

H.R. 4236: Mr. BACA, Mr. GUTIERREZ, and Ms. VELAZQUEZ.

H.R. 4481: Mrs. TAUSCHER.

H.R. 4483: Ms. PRYCE of Ohio, Mr. KNOLLENBERG, Mr. GREEN of Wisconsin, Mr. VITTER, Mr. SCHIFF, Mr. STUPAK, Mr. EDWARDS, and Mrs. DAVIS of California.

H.R. 4515: Mr. GORDON.

H.R. 4524: Mrs. JONES of Ohio, Mr. COYNE, and Mrs. MORELLA.

H.R. 4574: Mr. WELLER and Mr. DOYLE.

H.R. 4582: Mr. PAYNE, Mr. BORSKI, and Mr. DOYLE.

H.R. 4584: Mr. SMITH of New Jersey, and Mr. COOKSEY.

H.R. 4585: Mr. SMITH of New Jersey and Mr. COOKSEY.

H.R. 4600: Mr. FLETCHER, Mr. HOLDEN, Mr. BARTON of Texas, Mr. GANSKE, and Mr. WHITFIELD.

H.R. 4614: Mr. CROWLEY.

H.R. 4622: Mr. MCINNIS and Mr. JONES of North Carolina.

H.R. 4623: Mr. ROGERS of Michigan, Mr. LAMPSON, Mr. LOBIONDO, Mr. WELDON of Florida, Mr. CRAMER, Mr. BACHUS, Mr. GREEN of Texas, Ms. JACKSON-LEE of Texas, Mr. SCHIFF, Mr. STUMP, Mr. SAM JOHNSON of Texas, Mr. HANSEN, and Mr. OXLEY.

H.R. 4630: Ms. WATERS.

H.R. 4635: Mr. TIAHRT.

H.R. 4637: Mr. GREEN of Wisconsin.

H.R. 4642: Mr. DOOLITTLE.

H.R. 4646: Ms. SOLIS, Mr. MOLLOHAN, Mr. MENENDEZ, Mr. HOYER, and Ms. VELAZQUEZ.

H.R. 4653: Mr. SCOTT.

H.R. 4658: Mr. LYNCH and Mr. PAYNE.

H.R. 4659: Mr. PENCE and Mr. SMITH of New Jersey.

H.R. 4660: Mr. HASTINGS of Florida, Ms. HOOLEY of Oregon, Mr. LANGEVIN, Mrs. CAPPS, Mr. FALEOMAVAEGA, Mr. ENGLISH, and Mr. WELDON of Florida.

H.J. Res. 6: Mr. TERRY.

H.J. Res. 20: Mrs. MYRICK.

H.J. Res. 91: Mr. FOLEY and Mr. VITTER.

H. Con. Res. 315: Mr. WILSON of South Carolina and Mr. VITTER.

H. Con. Res. 341: Mr. CROWLEY and Mr. BLAGOJEVICH.

H. Con. Res. 350: Mr. VITTER.

H. Con. Res. 351: Mr. COYNE, Mr. DAVIS of Illinois, and Mr. ROYCE.

H. Con. Res. 385: Mr. SANDERS, Mr. DINGELL, Mr. TOWNS, Mr. JEFFERSON, Mrs. MALONEY of New York, Mrs. CAPPS, Mrs. ROUKEMA, and Mrs. MINK of Hawaii.

H. Con. Res. 390: Mr. HOYER, Mr. BOEHLERT, Mr. ANDREWS, Mr. HEFLEY, and Mr. DOOLEY of California.

H. Con. Res. 393: Mrs. CAPPS, Mrs. LOWEY, and Ms. NORTON.

H. Res. 346: Mr. RANGEL.

H. Res. 393: Ms. ROS-LEHTINEN, Mr. FRANK, and Mr. HEFLEY.

H. Res. 394: Mr. BONIOR and Mrs. CAPPS.

H. Res. 405: Mr. SAWYER, Mr. RUSH, Mr. ROTHMAN, and Mr. FARR of California.

H. Res. 412: Mr. LEVIN and Ms. MCKINNEY.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4546

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 1: At the end of subtitle D of title V (page ____, after line ____), insert the following new section:

SEC. 533. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) ATHLETIC AND SMALL ARMS COMPETITIONS.—Section 504 of title 32, United States Code, is amended by adding at the end the following new subsection:

''(c) CONDUCT OF AND PARTICIPATION IN CERTAIN COMPETITIONS.—(1) Under regulations prescribed by the Secretary of Defense, members and units of the National Guard may conduct and compete in a qualifying athletic competition or a small arms competition so long as—

''(A) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

''(B) National Guard personnel will enhance their military skills as a result of conducting or participating in the competition; and

''(C) the conduct of or participation in the competition will not result in a significant increase in National Guard costs.

''(2) Facilities and equipment of the National Guard, including military property and vehicles described in section 508(c) of this title, may be used in connection with the conduct of or participation in a qualifying athletic competition or a small arms competition under paragraph (1).''.

(b) OTHER MATTERS.—Such section is further amended by adding after subsection (c), as added by subsection (a) of this section, the following new subsections:

''(d) AVAILABILITY OF FUNDS.—(1) Subject to paragraph (2) and such limitations as may be enacted in appropriations Acts and such regulations as the Secretary of Defense may prescribe, amounts appropriated for the National Guard may be used to cover—

''(A) the costs of conducting or participating in a qualifying athletic competition or a small arms competition under subsection (c); and

''(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

''(2) Not more than $2,500,000 may be obligated or expended in any fiscal year under subsection (c).

''(e) QUALIFYING ATHLETIC COMPETITION DEFINED.—In this section, the term 'qualifying athletic competition' means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.''.

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting ''AUTHORIZED ACTIVITIES.—'' after ''(a)''; and

(2) in subsection (b), by inserting ''AUTHORIZED LOCATIONS.—'' after ''(b)''.

(d) CONFORMING AND CLERICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—

(A) in paragraph (1), by inserting ''and'' after the semicolon;

(B) in paragraph (2), by striking ''; or'' and inserting a period; and

(C) by striking paragraph (3).

(2) The heading of such section is amended to read as follows:

''§ 504. National Guard schools; small arms competitions; athletic competitions''.

(3) The item relating to section 504 in the table of sections at the beginning of chapter 5 of title 10, United States Code, is amended to read as follows:

''504. National Guard schools; small arms competitions; athletic competitions.''.

H.R. 4546

OFFERED BY: MRS. JO ANN DAVIS OF VIRGINIA

AMENDMENT NO. 2: At the end of title X (page 218, after line 15), insert the following new section:

SEC. ___. SENSE OF CONGRESS CONCERNING AIRCRAFT CARRIER FORCE STRUCTURE.

(a) FINDINGS.—Congress makes the following findings:

(1) The aircraft carrier has been an integral component in Operation Enduring Freedom and in the homeland defense mission beginning on September 11, 2001. The aircraft carriers that have participated in Operation Enduring Freedom, as of May 1, 2002, are the USS Enterprise (CVN–65), the USS Carl Vinson (CVN–70), the USS Kitty Hawk (CV–63), the USS Theodore Roosevelt (CVN–71), the USS John C. Stennis (CVN–74), and the USS John F. Kennedy (CV–67). The aircraft carriers that have participated in the homeland defense mission are the USS George Washington (CVN–73), the USS John F. Kennedy (CV–67), and the USS John C. Stennis (CVN–74).

(2) Since 1945, the United States has built 172 bases overseas, of which only 24 are currently in use.

(3) The aircraft carrier provides an independent base of operations should no land base be available for aircraft.

(4) The aircraft carrier is an essential component of the Navy.

(5) Both the F/A–18E/F aircraft program and the Joint Strike Fighter aircraft program are proceeding on schedule for deployment on aircraft carriers.

(6) As established by the Navy, the United States requires the service of 15 aircraft carriers to completely fulfill all the naval commitments assigned to it without gapping carrier presence.

(7) The Navy requires, at a minimum, at least 12 carriers to accomplish its current missions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the number of aircraft carriers of the Navy in active service should not be less than 12.

(c) COMMENDATION OF CREWS.—Congress hereby commends the crews of the aircraft carriers that have participated in Operation Enduring Freedom and the homeland defense mission.

H.R. 4546

OFFERED BY: MR. HOEFFEL

AMENDMENT NO. 3: At the end of title X (page 218, after line 15), insert the following new subtitle:

Subtitle D—Review of Regulations Relating to Military Tribunals

SEC. 1041. SHORT TITLE.

This subtitle may be cited as the ''Military Tribunal Regulations Review Act''.

SEC. 1042. CONGRESSIONAL REVIEW.

(a) PROCEDURES REQUIRED.—(1) Before a military tribunal rule takes effect, the President shall submit to Congress a report containing—

(A) a copy of the military tribunal rule;

(B) a concise general statement relating to the military tribunal rule; and

(C) the proposed effective date of the military tribunal rule.

(2) A military tribunal rule with respect to which a report is submitted under paragraph

(1) shall take effect on the latest of the following:

(A) The last day of the 60-day period beginning on the submission date for that rule.

(B) If the President, having been presented with a joint resolution of disapproval with respect to that rule, returns the joint resolution without his signature to the House in which it originated, together with his objections thereto, the date that is—

(i) the date on which either House, having proceeded to reconsider the joint resolution, votes on and fails to pass the joint resolution, the objections of the President to the contrary notwithstanding; or

(ii) if earlier, the date that is 30 days after the date on which the joint resolution, with the President's objections thereto, was returned by the President to the House in which it originated.

(C) The date on which the military tribunal rule would have otherwise taken effect, if not for this section (unless a joint resolution of disapproval is enacted).

(3) Notwithstanding paragraph (2), the effective date of a military tribunal rule shall not be delayed by operation of this subtitle beyond the date on which either House of Congress votes to reject a joint resolution of disapproval.

(b) EFFECT OF DISAPPROVAL.—(1) A military tribunal rule shall not take effect (or continue) if a joint resolution of disapproval with respect to that military tribunal rule is enacted.

(2) A military tribunal rule that does not take effect (or does not continue) under paragraph (1) may not be reissued in substantially the same form, and a new military tribunal rule that is substantially the same as such a military tribunal rule may not be issued, unless the reissued or new military tribunal rule is specifically authorized by a law enacted after the date of the enactment of the joint resolution of disapproval with respect to the original military tribunal rule.

(c) DISAPPROVAL OF RULES THAT HAVE TAKEN EFFECT.—Any military tribunal rule that takes effect and later is made of no force or effect by the enactment of a joint resolution of disapproval shall be treated as though such military tribunal rule had never taken effect, except that a trial of a person pursuant to such rule that is being carried out before the enactment of such joint resolution of disapproval shall continue to be carried out as though such military tribunal rule remains in effect.

(d) RULE OF CONSTRUCTION.—If the Congress does not enact a joint resolution of disapproval with respect to a military tribunal rule, no court or agency may infer any intent of the Congress from any action or inaction of the Congress with regard to such military tribunal rule, related statute, or joint resolution of disapproval.

(e) JOINT RESOLUTION OF DISAPPROVAL DEFINED.—For purposes of this section, the term ''joint resolution of disapproval'' means a joint resolution introduced on or after the date on which a report referred to in subsection (a)(1) is received by Congress, the title of which is ''Joint Resolution disapproving the rule submitted by the President on ____, relating to military tribunals'', containing no whereas clauses, and the matter after the resolving clause of which is as follows: ''That Congress disapproves the rule submitted by the President on ____, relating to military tribunals, and such rule shall have no force or effect.'' (The blank spaces being appropriately filled in).

SEC. 1043. DEFINITIONS.

For purposes of this subtitle:

(1) The term ''military tribunal'' means a military commission or other military tribunal (other than a court-martial).

(2) The term ''military tribunal rule'' means the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy, or describing the organization, procedure, or practice requirements of a Department or agency, with regard to carrying out military tribunals.

SEC. 1044. JUDICIAL REVIEW.

No determination, finding, action, or omission under this subtitle shall be subject to judicial review.

SEC. 1045. REPORTING REQUIREMENTS FOR MILITARY TRIBUNALS.

(a) IN GENERAL.—(1) Subchapter XI of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) is amended by adding at the end the following new section:

''§ 940a. Art. 140a. Reports to Congress on military tribunals

''(a) For each military tribunal, the President shall submit to Congress periodic reports on the activities of that military tribunal. The first such report with respect to a military tribunal shall be submitted not later than six months after the date on which the military tribunal is convened and shall include an identification of the accused and the offense charged. Each succeeding report with respect to a military tribunal shall be submitted not later than six months after the date on which the preceding report was submitted.

''(b) A report under this section shall be submitted in unclassified form, but may included a classified annex.

''(c) In this section, the term 'military tribunal' means a military commission or other military tribunal (other than a court-martial).''.

(2) The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

''940a. 140a. Reports to Congress on military tribunals.''.

(b) EFFECTIVE DATE.—Section 940a of title 10 United States Code, as added by subsection (a), shall apply with respect to any military tribunal covered after, or pending on, that date of the enactment of this subtitle. In the case of a military tribunal pending on the date of the enactment of this subtitle, the first report required by such section shall be submitted not later than six months after the date of the enactment of this subtitle.

H.R. 4546

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 4: At the end of title VIII (page 174, after line 5), add the following new section:

SEC. ____. RENEWAL OF CERTAIN PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENTS AT FUNDING LEVELS AT LEAST SUFFICIENT TO SUPPORT EXISTING PROGRAMS.

Section 2413 of title 10, United States Code, is amended by adding at the end the following new subsection:

''(d) With respect to any eligible entity that has successfully performed under a cooperative agreement entered into under subsection (a), the Secretary shall strive, to the greatest extent practicable and subject to appropriations, to renew such agreement with such entity at a level of funding which is at least equal to the level of funding under the cooperative agreement being renewed.''.

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PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

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Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable ZELL MILLER, a Senator from the State of Georgia.

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

God, we thank You for the power of intercessory prayer. Intercession changes our understanding of what and how to pray, changes our relationship with the people for whom we pray, and actually changes what happens in their lives because we pray. You are constantly seeking to enable deeper relationships and are delighted when, out of love, we come to You and pray about our loved ones and friends.

Today we focus our prayers on the spouses and families of the Senators. They are such a vital part of these leaders' lives. And yet, the very demands of being in the Senate cause strain and stress on marriage and the family. Family members bear the burden of high profile living with its lack of privacy and abundance of public scrutiny and criticism. Although the spouses are not elected to office, often constituencies place heavy responsibilities and demands on them. Keeping pace with schedules, the demands of the family, and the pressures of social calendars creates a formidable challenge.

Father, bless the Senators' spouses, the children, and extended families of parents, brothers, and sisters. We focus them in our mind's eye in this moment of intercessory prayer. Grant each one the healing help and hope that he or she needs today. Through our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable ZELL MILLER led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 7, 2002.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable ZELL MILLER, a Senator from the State of Georgia, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. MILLER thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. In my capacity as a Senator from Georgia, I suggest the absence of a quorum.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE ACTING MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The Senator from Nevada is recognized.

SCHEDULE

Mr. REID. Mr. President, this morning the Senate will begin consideration of the farm conference report. There is a unanimous consent agreement that there will be 12 hours of debate: 6 today, 6 tomorrow. The Senate will recess from 12:30 to 2:15 today for party conferences. The leaders at this time are trying to decide whether there will be a vote after debate is completed today.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

FARM SECURITY AND RURAL INVESTMENT ACT OF 2002—CONFERENCE REPORT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now proceed to consideration of the conference report accompanying H.R. 2646, which the clerk will report.

The legislative clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 2646), to provide for the continuation of agricultural programs through fiscal year 2011, having met, after full and free conference have agreed to recommend and do recommend that the House recede from its disagreement to the amendment of the Senate and the House agree to the same with an amendment, and the Senate agree to the same; that the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same with an amendment and the Senate agree to the same, signed by a majority of the conferees on the part of both Houses.

The ACTING PRESIDENT pro tempore. Without objection, the Senate will proceed to the consideration of the conference report.

(The conference report is printed in the House proceedings of the RECORD of May 1, 2002, page H1795.)

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be 6 hours of debate on the conference report, to be equally divided between the chairman and ranking member of the Committee on Agriculture, Nutrition, and Forestry.

The Senator from Indiana.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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Mr. LUGAR. Mr. President, I will not speak at length now because we are awaiting the presence of the distinguished chairman, Senator HARKIN, who will make an opening statement, followed by my own.

Mr. REID. I ask unanimous consent the time run equally between both Senator LUGAR and Senator HARKIN during this quorum call.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LUGAR. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT 107–4 AND TREATY DOCUMENT 107–5

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on May 6, 2002, by the President of the United States:

Extradition Treaty with Lithuania, Treaty Document 107–4; and Stockholm Convention on Organic Pollutants, Treaty Document 107–5.

I further ask unanimous consent that the treaties be considered as having been read the first time, that they be referred with accompanying papers to the Committee on Foreign Relations and ordered to be printed, and that the President's messages be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith the Extradition Treaty Between the Government of the United States of America and the Government of the Republic of Lithuania, signed at Vilnius on October 23, 2001.

In addition, I transmit for the information of the Senate, the report of the Department of State with respect to the Treaty. As the report explains, the Treaty will not require implementing legislation.

The provisions in this Treaty follow generally the form and content of modern extradition treaties recently concluded by the United States and will replace the Extradition Treaty of April 9. 1924, between the two countries and the Supplementary Extradtion Treaty of May 17, 1934. In conjunction with the new U.S.-Lithuania Mutual Legal Assistance Treaty that took effect in 1999, the Treaty will, upon entry into force, enhance cooperation between the law enforcement communities of the two countries. It will thereby make a significant contribution to international law enforcement efforts against serious offenses, including terrorism, organized crime, and drug-trafficking offenses.

I recommend that the Senate give early and favorable consideration to the Treaty and give its advice and consent to ratification.

GEORGE W. BUSH.
THE WHITE HOUSE, *May 6, 2002*.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification. I transmit herewith the Stockholm Convention on Persistent Organic Pollutants, with Annexes, done at Stockholm, May 22–23, 2001. The report of the Secretary of State is also enclosed for the information of the Senate.

The Convention, which was negotiated under the auspices of the United Nations Environment Program with the leadership and active participation of the United States, commits Parties to take significant steps, similar to those already taken by the United States, to eliminate or restrict the production. use, and/or release of 12 specified persistent organic pollutants (POPs). When I announced that the United States would sign the Convention, I noted that POPs chemicals, even when released abroad, can harm human health and the environment in the United States. The Convention obligates Parties to take measures to eliminate or restrict the production, use, and trade of intentionally produced POPs, to develop action plans to address the release of unintentionally produced POPs, and to use best available techniques to reduce emissions from certain new sources of unintetionally produced POPs. It also includes obligations on the treatment of POPs stockpiles and wastes, as well as a science-based procedure to add new chemicals that meet defined criteria.

The United States, with the assistance and cooperation of nongovernmental organizations and industry, plays an important international leadership role in the safe management of hazardous chemicals and pesticides. This Convention, which will bring over time, an end to the production and use of certain of these toxic chemicals beyond our borders, will positively affect the U.S. environment and public health. All relevant Federal agencies support early ratification of the Convention for these reasons, and we understand that affected industries and interest groups share this view.

I recommend that the Senate give prompt and favorable consideration to the Convention and give its advice and consent to ratification, subject to the understanding described in the accompanying report of the Secretary of State, at the earliest possible date.

GEORGE W. BUSH.
THE WHITE HOUSE, *May 6, 2002*.

CORRECTION IN ENROLLMENT OF H.R. 3525

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 106 submitted earlier today by Senator KENNEDY.

The ACTING PRESIDENT pro tempore. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 106) to correct the enrollment of H.R. 3525.

There being no objection, the Senate proceeded to the consideration of the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid on the table, and that any statements relating thereto be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 106) was agreed to, as follows:

S. CON. RES. 106

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 3525) to enhance the border security of the United States, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) Strike section 205.

(2) In the table of contents of the bill, strike the item relating to section 205.

FARM SECURITY AND RURAL INVESTMENT ACT OF 2002—CONFERENCE REPORT—Continued

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. HARKIN. Mr. President, I understand that the conference report before the Senate is the Farm Security and Rural Investment Act of 2002. As I understand the unanimous consent agreement, there are 6 hours of debate evenly divided today and 6 hours of debate evenly divided on tomorrow.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. HARKIN. Mr. President, the bipartisan farm bill conference report now before us has been approved overwhelmingly in the House of Representatives by a vote of about 2 to 1, and President Bush has pledged to sign it, calling it a significant piece of legislation and, of course, touting the great efforts we made to reach agreement.

Now we have the crucial bill before us, and the Senate has the opportunity to join the House and the President with our approval of this legislation.

The President said he wants this bill on his desk promptly, and I hope we

can do that. I intend to do all I can to make sure that happens. I am sorry we could not have taken this up last week and passed it on Thursday. The President could have signed it this week. But, as I understand, the other side insisted on having a minimum of 12 hours of debate on this. If that is what they want, that is certainly their right. So we are going to have another 2 days of debate on this farm bill.

As the chairman of the Senate Agriculture Committee, I am proud to sponsor it. I am proud of all the hard work the conferees and our staff have done. I am proud of the work that the farm groups, conservation groups, antihunger, and others across the country have done in seeing this bill through to the end. I am proud of those who lent their ideas in support of this bill. I am especially proud of all the members of the Senate Agriculture Committee on both sides of the aisle who worked diligently last year through some very trying times—need I mention the period of time after September 11 when our attention was focused on the terrorist threat to our country? But the members of our committee, including the Presiding Officer, continued to work to make sure we met the business of our country's agriculture and to make sure we came up with a farm bill that addressed a broad variety of needs all over America.

I compliment and commend all of the members of the Senate Agriculture Committee, as I said, on both sides of the aisle who worked very hard to get this bill both through the committee and to the floor of the Senate.

I compliment all the conferees for making sure we have a good product—a product that was reached by compromise between the House and the Senate. The bill is truly a product of cooperation and collaboration across party lines—and across the Capitol between the two Houses.

I commend my colleague and ranking member, my good friend, Senator LUGAR from Indiana, for all of his courtesy and cooperation throughout the process of developing this bill.

To be sure, we have some very substantial disagreements on the conference report. But Senator LUGAR and his staff have been closely involved and have made major contributions throughout the provisions of this bill.

I also thank Chairman COMBEST and Congressman CHARLIE STENHOLM for all of their hard work and cooperation through the course of a challenging conference. I compliment publicly Congressman COMBEST for his fair and diligent leadership and for his chairmanship of the conference committee as we worked through this bill. This conference report reflects a tremendous amount of work and careful consideration by both the Senate and House of Representatives.

The House Agriculture Committee began hearings on the new farm bill in 2000. Our committee began hearings on the new farm bill, under the leadership of Senator LUGAR, in January of 2001. When the leadership changed hands, under my chairmanship we continued to hold an aggressive schedule of hearings over the summer. We marked up the bill in November and reported it to the Senate on November 27.

Final Senate action was delayed because we were repeatedly unable to obtain cloture before the holiday recess. But we came back and passed the bill on February 13.

Since then—up until May 1—we have been in conference. We began the conference with a very large number of critical issues in disagreement between the Senate and the House on this comprehensive, complicated, and far-reaching bill. We worked long and hard and made our way through disagreements to produce this new, strong farm bill.

I will be the first to admit that this conference report is not any one person's idea of perfection. It is, however, a very good bill. It is a solid, balanced piece of legislation, a product of the crucible of rigorous debate, hard work, and tough negotiating.

The conference report also reflects the necessary give and take of the conference on a major piece of legislation and the imperative of reaching compromises and settling differences for the sake of the larger objective of getting the bill completed and passed. The bottom line is that there is far too much at stake in this bill for farm families, rural communities, and our Nation as a whole, for us to let this bill die over a stalemate or to send it back and deadlock in conference.

For anyone looking for faults to criticize, they are there. I could get points for several myself. Each of us could. But given the rigor of the negotiations and the strongly held views on each side, I can assure you that further negotiation—if this bill were to be sent back to conference—would not and cannot produce an outcome appreciably different from that which is now before the Senate. I can say that if this conference report is defeated and sent back to conference, there will not be a farm bill this year.

As I said, each of us can look and say: Well, I don't like the specifics, or, I don't like these two items which I voted for in the Senate, or which I voted for in committee, and it is not in there. Yes, we can all do that. We can pick it apart. But, again, if you look at the overall aspects of the farm bill for commodities, for nutrition, for conservation, and for rural development, when you look at it in its broad aspect, this is a bill worthy of support.

This trial by fire of going through the procedures means we have a comprehensive and forward-looking bill. This bill restores sound farm income protections. It offers predictability and stability to agricultural producers, suppliers, and others. It greatly strengthens our commitment to conservation, to investing in jobs, to economic growth, and to the overall quality of life in rural communities. And, for the first time ever, we have an energy title in this farm bill to boost farm-based renewable energy.

Last week, President Bush said this bill has ''the strongest conservation provisions of any farm bill ever passed by Congress. The final provisions of the farm bill are also consistent with America's international trade obligations, which will strengthen our ability to open foreign markets for American farm products.''

That is a quote from President Bush.

(Mr. WELLSTONE assumed the chair.)

Mr. HARKIN. Rural America is waiting for this bill. I urge my colleagues to send this critical legislation to the White House without further delay.

Again, I am proud that we have got this bill through. When we look back to 1996, that farm bill was signed into law about 6 months after the previous farm bill expired. I am proud to say we have this farm bill before us 5 months before the present farm bill expires.

I would like to go through, as briefly as I can, the various titles of the farm bill.

First, I will go through the commodity programs. Then we will take up the different areas of energy and conservation, and some other aspects dealing with trade and WTO just to set the record on where we are with this conference report before us.

The conference put together a balanced package that includes three elements of support: direct payments, countercyclical payments, and marketing assistance loans.

The first chart I have in the Chamber shows the protection levels for different commodities: corn, soybeans, wheat, sorghum, and barley. This is not all of the commodities; this is just representative of many of the commodities we cover.

The income protection levels are shown in green on the chart for the present 1996 farm bill, plus the emergency payments are in kind of a purple color. What it shows is that for all these major crops, the farm bill before us will provide much higher income protection levels than the existing farm bill.

For example, on soybeans, the income protection level under the farm bill before us is $5.80 per bushel. Under the farm bill we are now operating under—the old farm bill; the 1996 farm bill—it is $5.04 a bushel. And going on through all the rest: for wheat, the income protection is $3.86 a bushel under this bill. It is only $3.24 under the previous farm bill.

The next chart shows the commodity program spending by crop-year. There has been some talk that we are somehow cheating farmers out of money, that we are spending less. But that is not true. This chart shows the spending by crop-year from 1996 on through 2002. The total includes AMTA payments, the marketing loss assistance and countercyclical payments, LDPs, marketing loan gains, and certificate

gains. We have bundled everything together to show the total income.

After enactment of the 1996 farm bill—and we had all these emergency procedures—the high water mark was $19.73 billion in 2000. Last year—2001—that dropped to $16.17 billion. And in 2002, we bring it back to $17.91 billion in spending for the total amount of crops. So you may hear arguments that the total spending this year is less than before, and that simply is not true.

I have heard some talk that a typical farmer would get less this year than they got under the farm bill before, the 1996 farm bill, plus the double AMTA payments they got last year. So we took an Iowa farmer—I did not do any other State—with 1,000 acres, growing corn and soybeans. And it was assumed that the loan rate would be frozen at the current levels for the 1996 farm bill, which basically the Secretary did.

For that typical Iowa farmer, under the farm bill now before us, the payments would total about $83,884. Under the old farm bill, it would total about $73,987—a difference of about $10,000. So a typical Iowa corn farmer this year is going to be a heck of a lot better off under this bill than if we were to continue with the old bill, even plus all of the double AMTA payments and the emergency payments.

This chart shows an even more drastic difference. Again, the $83,884 is the payment to that typical Iowa farmer this year. The $57,947 would represent the 1996 farm bill and a loan rate that was at the lowest rate. In other words, if the Secretary lowered the loan rate, that would be the payment to an Iowa farmer.

I must say, there has been a lot of talk that the Secretary has talked about lowering their loan rates. That would be $1.67 a bushel for corn, for example, and $4.92 for soybeans. What we did in this farm bill, Mr. President, as you well know, is we not only raised the loan rates but we removed the ability of the Secretary to lower those loan rates. That provision has been in the law, and this is how low we would go if the Secretary exercised it. In this farm bill, the Secretary does not have that discretion.

I am going to talk about the WTO aspects in a moment, but let me comment a little bit further about the present farm bill.

We continue the planting flexibility in the current farm bill. The 1996 farm bill allowed farmers to plant however they wanted to, on whatever acres they wanted. Farmers liked that, so we have continued the planting flexibility.

The producers will be eligible for direct and countercyclical payments as long as they comply with soil conservation and wetland protection, use the land for an agricultural or conserving use, and do not plant prohibited fruits and vegetables on base acres.

The countercyclical program is a major improvement over the 1996 farm bill. Owners of farmland will have a one-time opportunity to update their crop acreage base and to partially update their payment yields for countercyclical payments. The countercyclical program is designed to supplement farm income during times when commodity prices are low.

As I said, we have rebalanced the commodity loan rates to minimize market distortions. Loan rates under the conference agreement are not as high as in the Senate-passed bill, but the loan rates in this bill will provide an adequate level of support for crop producers without stimulating surplus production. We have tried to assure that producers can choose to produce alternative crops, such as minor oilseeds, dried peas, lentils, and small chickpeas. Producers will be able to demonstrate minimal price supports for these alternative crops, which can make all the difference to their lenders.

The conference report includes allotments to limit U.S. sugar production to keep production in line with demand and ensure that the sugar program can operate without cost to the Federal Government.

The conference report also includes a major reform of the peanut program to help U.S. peanut producers and processors survive in a changing world market and trade environment.

This bill complies with all of the WTO commitments. I would refer to this chart in the Chamber. There has been some talk—and we may hear some talk in the ensuing 12 hours of debate—about the possibility that we could violate WTO. We have looked at this very carefully. Under a worst case scenario, there is only minimal possibility that we violate our WTO agreements. Right now, as you well know, we have a provision under WTO that puts things in amber boxes, green boxes—and I don't need to belabor what that is all about. Let's just say, under the green box, you can spend as much as you want. That does not violate any of our trade agreements. Under the amber box, for specific payments, we have a $19.1 billion cap. In other words, if we go above $19.1 billion in any year in spending, then our trade partners could, if they want, take us to a dispute settlement panel in terms of violating the WTO agreements.

So here, under the amber box, as you can see, is the $19.1 billion, as shown on the chart, that we are allowed in a year. Right now we are spending about $11 billion a year in that amber box. The likely effect of the bill before us—the conference report before us—is about $12 billion a year under likely scenarios.

Under a situation with very low prices, such as we saw in 1999, when payments went up, we faced absolutely devastating circumstances and the rest of the world had strong production—under that, we get about $16.7 billion under the amber box. So we are still nearly $3 billion below the ceiling we are allowed under the amber box.

Under the green box, we are about $13.3 billion. We have come up, with our conservation programs, to about $16.3 billion under the green. That doesn't violate anything. It just means we are giving farmers more non-trade-distorting protection under the green box, which is not only allowed but encouraged under WTO. We are giving them more support under the amber but not to the extent it is very likely that we would violate our trade agreements. I will get to conservation. But before I do, I wanted to specifically talk about the fact that we will not in any way be violating our WTO agreements.

When the Senate considered this bill, it adopted stricter commodity program payment limitations. The House bill not only did not reduce payment limits, it expanded them. In conference we argued aggressively for the Senate's position of stronger payment limitations. The House conferees took an extraordinarily strong stance against lower payment limits. So it should be no surprise to anyone that the conference report contains a compromise.

Under existing law the limit is $460,000. The House bill had a payment limit of $550,000 for an individual or a married couple. The Senate bill contained a $225,000 limit for an individual or $275,000 for a couple. For the past several years, under the previous farm bill, the limit has been set at $460,000.

So the conference agreement includes a limit of $360,000 for an individual or a couple—well below the House bill level. Again, the present level is $460,000. The House went to $550,000. We reduced that down to $360,000—much closer to the Senate-passed level of $275,000.

I just saw a press report the other day that a Congressman, a Member of the other body, had specifically lambasted this bill because of the high payment limits. He pointed out that Ted Turner, Scottie Pippen and—I forget who else he mentioned—a couple of other wealthy people could still continue to get all these big payments. Nothing could be further from the truth, I am sorry to tell the Congressman. In the conference report, we changed one other provision, another reform in payment limits.

We include a new eligibility test that will prevent any individual or entity—that is very important, individual or entity—with an adjusted gross income of $2.5 million or more from receiving any commodity or conservation payments—$2.5 million. If that person is actively engaged in agriculture and their income all comes from agriculture, then that does not apply. But for someone like Scottie Pippen and Ted Turner—obviously their income comes from other places—they not only would not be eligible for the payment limits, they are not eligible for any payments, period, zero. So that was another reform we made.

In addition—this is most significant—under our compromise, the

USDA will be required to track payments through entities such as partnerships and corporations, cooperatives, so that we can determine exactly what amounts an individual is receiving. This transparency will provide much more accurate data for Congress in order to make better informed decisions about payment limit issues in the future. Again, for the first time ever we are going to have full transparency. The Secretary is required to come up with a methodology so that we can track payments through any kind of partnership, cooperative or corporation, so that we can find out exactly who is getting what. We have never had that before.

The conference report also establishes a commission to review who receives benefits and to recommend changes in the law regarding how payment limits operate. As I understand it, the Senate will get three, the House gets three, and the President appoints four. That is how the commission will be set up, if I am not mistaken.

Some will argue and will continue to argue that the Senate conferees brought back too little on payment limitations in this conference report. However, this is the reality: If we Senate conferees had issued an ultimatum on our position, we would not be here today with a conference report on the farm bill. That was clearly indicated to us by House conferees and, quite frankly, by some on our own side.

I am greatly disappointed this conference report does not contain stronger payment limitations. But failing to produce this farm bill would have been far worse for farm families, rural communities, and our country as a whole than getting the compromise we did on payment limitations. Simply put, it would have been irresponsible to walk away from this new farm bill over the failure to reach a compromise on payment limitations and thereby forfeit the desperately needed farm income protection our bill contains for farms of all sizes, including small and modest-sized farms.

As far as this Senator is concerned, this bill is far from the final word on payment limitations. We will continue to examine this issue. We will get our commission established. We will continue to look, through the transparency, at exactly who is getting these payments. At some point down the road, I am sure this committee will come up with further legislation to refine and reform payment limitations.

We made some important strides in this bill regarding specialty crops. Not only did we provide funding for farmers' market nutrition programs and for commodities for The Emergency Food Assistance Program and the School Lunch Program, a portion of which are specialty crops, we also directed USDA to increase their average spending on specialty crops by setting a floor of $200 million annually for the amount of funds that must be devoted to the purchases of fruits and vegetables each year.

This is vitally important, both for our specialty crop producers, and for the health of our kids and low-income individuals. Before we didn't have a floor. Some years we went as low as $100 million a year in the level of spending for fruits and vegetables. This bill sets a floor of $200 million minimum. We can go higher than that, but we can't go lower than that. I believe that is going to be good for our fruit and vegetable farmers and also good for nutrition of all Americans.

Mr. President, on the dairy issue—this is one that always perplexes and bedevils us in this country, but I believe we have come out with a dairy provision that represents, as best as possible, all the interests across our country. I think it is a significant victory for our smaller dairy farmers. We maintain a permanent $9.90 price support for milk. We established a new 3.5-year national dairy program to provide assistance to all U.S. producers. This national dairy program will provide a payment based on the difference between $16.94 and certain prices in the Northeast, but I will try not get into the convoluted details of it.

Basically, we said that for up to 2.4 million pounds of production per dairy farm per year, we will support your prices up to about $16.94. So really, this is targeted to helping our smaller dairy farmers. That 2.4 million pounds of production per dairy farm per year is about 137 cows—or 125 to 140 cows. That is really our smaller dairy farms.

The conservation section is one of which I think all of us can be proud. It is the one section that President Bush highlighted in his comments when talking about this bill. In addition to producing food and fiber, America's farmers and ranchers play a critical role as stewards of our natural resources for today and for future generations. The conservation title in the farm bill recognizes conservation as a cornerstone of sound farm policy, adding $17.1 billion in new funding. It is an 80-percent increase above the baseline. This reflects a strong commitment to helping agricultural producers and landowners conserve and improve water, air, plants, and wildlife. The bill strikes an important balance between conservation programs that idle land, such as the Conservation Reserve Program and the Wetlands Reserve Program, and programs that focus on lands of production, such as the EQIP program—Environmental Quality Incentives Program—and the new Conservation Security Program. Together all the programs in the conservation title provide the full array of options to producers who voluntarily incorporate conservation practices on their lands.

The Conservation Reserve Program is expanded to 39.2 million acres from the current cap of 36.4 million acres. The WRP program—Wetlands Reserve Program—cap is more than doubled to 2.275 million acres. EQIP funding—so important to our livestock producers, our dairy farmers—is increased 5.5 times, from a 10-year baseline of $2 billion, to $11 billion.

The Wildlife Habitat Incentives Program is so important to our sportsmen all over America for increasing and preserving wildlife habitats all over this country. Funding for the WHIP program is increased 14 times—fourteen-fold—to $700 million, from a total of $50 million over the life of the last farm bill.

Funding for the Farmland Protection Program, to provide protection for farmland around some of our urban areas and keep it in farmland rather than being developed—funding for the Farmland Protection Program jumps nearly thirty-fold—nearly 30 times—from the $35 million in the last farm bill, to nearly $1 billion in this bill.

The farm bill contains important, new programs as well as increasing funding for existing ones. To address the growing need for water conservation, the bill contains $600 million for a national ground and surface water conservation program, including $50 million for producers located in the Klamath Basin in California and Oregon.

The new Grassland Reserve Program will help conserve and restore 2 million acres of grassland across the country. This important new program is funded at $254 million. The bill also contains $275 million for the Small Watershed Dam Rehabilitation Program, to restore ailing dams across the country. Many of these dams out in Iowa, and in Missouri, Oklahoma, Texas, Arkansas, are rapidly deteriorating. This program will rebuild those dams to preserve, to protect the safety of those living near them and save our precious water.

Finally, an important, new component in our conservation bill is the new Conservation Security Program. Through the CSP, all agricultural producers who can receive payments for implementing conservation on working lands. By encouraging producers to address critical resources on their operation at a non-degradation level, CSP will lead to substantial, new environmental benefits and help maintain those gains already made.

The time has come to recognize farmers and ranchers as good stewards of the land, the basic stewards of our Nation's natural resources. The importance of maintaining the conservation achievements of the past cannot be over-stated. Paying good stewards to maintain their good work is clearly the right thing to do. And now we can do that through the Conservation Security Program.

In order to ensure successful implementation of the conservation programs, we include funding for technical assistance, including for education, monitoring and assessment activities, directly from the conservation programs. Without strong technical assistance, conservation programs could not be fully implemented. This farm bill recognizes that and provides for funding for technical assistance.

Overall, the conservation title provides a balanced approach to conservation—the largest increase in a farm bill ever—and provides critically important resources for our agricultural producers.

I will point to this chart, which gives an official representation of what we have done in conservation. Under the 1996 farm bill, we have a total 10-year baseline of $21.4 billion. That provides $19.4 billion for land idling programs, like CRP and WRP, and only about $2 billion for conservation programs directed toward working lands to help farmers become better stewards. The new farm bill tries to restore a balance that ensures strong land-idling and working lands programs. Of the nearly $17.1 billion in new funds, we put $14 billion in new funds in working land programs and $3 billion in new funds in land idling programs. That gives us a more balanced approach.

In this farm bill, we have a total of $38.5 billion for conservation. Of that total, there is about $16.1 billion that will go to conservation on working lands and about $22.4 billion that will go to land idling. Again, you get back a historical balance of what we had in the past and recognize that as farmers produce crops across our country they are stewards of the land. There are some people who seem to think that if you raise corn or soybeans or rice or cotton—whatever—if you are growing crops or raising livestock, then you are destroying the land, the soil, the water and other natural resources. Well, that could be true, depending on how you farm.

If you farm up and down the hills, in the gullies, and you don't put in grass strips or buffer strips, or you don't ridge till, perhaps, or no till, you are right; you can lose a lot of soil. If you do it in the right way, you can grow crops and you can preserve soil, water and wildlife habitat, our natural resources. That is why we directed much of the new funding toward working lands programs—to help farmers be those good conservationists, yet still produce the food and fiber we need for our country. This balance was struck while ensuring that programs like WRP and CRP remain strong.

Mr. President, as I said, we have strong spending for the existing programs: Conservation Reserve Program, Wetlands Reserve Program; Farmland Protection Program; Wildlife Habitat Incentives Program; and Environmental Quality Incentives Program. These are all the programs that are in existence in the present farm bill. We strengthened and expanded them, as you can see. The Farmland Protection Program is increased from $35 million to nearly $1 billion—$985 million.

The wetlands reserve has been increased from 975,000 acres in the 1996 Farm Bill to 2.275 million acres. Even with the addition of 100,000 acres through a appropriation bill, that is still more than double the current level.

EQIP has been increased from $2 billion to $11 billion.

We heavily boost existing programs.

We added new programs. The Ground and Surface Water Conservation Program was not in the last farm bill. We have $600 million in this bill for that program.

For the Conservation Security Program, there is a $2 billion estimated cost.

For the Small Watershed Rehabilitation Program, there is $275 million.

For the Agricultural Management Assistance Program for certain underserved States, there is $50 million.

We have a provision that helps at-risk natural desert terminal lakes. We need to protect and preserve those lakes. There is $200 million in the bill for that program.

I want to put up the last chart again. I heard and read some reports that because of the new conservation programs we put in this bill, especially the Conservation Security Program and others, we are taking money out of EQIP or we are hurting funding for existing conservation programs. In fact, there is a conservation group—I am sorry, I cannot remember the name now—that basically is saying that we are taking money out of these programs.

Again, the facts are just the opposite. We have increased many existing programs. As I said, the Wetlands Reserve Program has been increased from 975,000 acres to 2.275 million acres. EQIP has a 5.5-fold increase. The Wildlife Habitat Incentives Program has a fourteen-fold increase. The Farmland Protection Program has nearly a thirty-fold increase. We are not taking money away from any of these programs. We enlarged the pie. When people say we are hurting existing programs, that simply is not true. We are providing more options for producers and opening conservation programs to all those producers who are currently left out of conservation programs because they are already doing the right thing. Or, out of commodity programs because they do not grow a covered crop. The CSP reaches all of those producers—it expands the conservation programs and is money well spent.

Let me talk about trade. The trade title offers major gains to agricultural producers and agricultural export industries. The Market Access Program will be ramped up to a $200-million-a-year program by 2006. This is the level that has been sought by supporters of the MAP program. It represents a 122-percent increase over the current funding level of $90 million a year.

The trade title also provides additional funds for the Foreign Market Development Cooperators Program—otherwise known as the FMD Program—from $27.5 million to $34.5 million annually.

The trade title of the farm bill also expands use of U.S. commodities in food aid shipments both under the existing Food for Progress Program and to continue the pilot International Food for Education Program, otherwise known as the International School Lunch Program.

The bill provides an increase in transportation spending for the Food for Progress Program from its current level of $30 million to $40 million and increases funds to cover administrative costs for these organizations running the projects within country from $10 million to $15 million.

The conference report provides $100 million to be available next fiscal year to continue support for existing projects under the GFEI Program established in 2000.

Lastly, there are two other issues I want to mention. The nutrition title is a very strong part of this conference report. We can all be justly proud of that title. The House bill provided $3.6 billion in new funding for nutrition. The Senate bill had $8.4 billion, as we reported it out of the Senate. The compromise is $6.4 billion for nutrition and food assistance. That is a level that is much closer to the Senate position and not quite as close to what the House had in their bill.

We restore food stamp benefits to legal immigrant adults who have lived in the United States for at least 5 years, and to legal immigrant children and the disabled without residency requirements. President Bush wanted the first part of the provision, and we complied with his wishes and put it in the bill. The second part of the provision restoring food stamp benefits to children and the disabled without a 5-year waiting period originated in the Senate.

We provide transitional benefits for people moving from welfare to work, and we increase the benefits for families with children.

We have simplified some food stamp program rules and have reduced the administrative burden for States.

We have increased funding for commodity purchases and distribution to these programs. The nutrition title is certainly a part of the bill we can all proudly support.

Again I thank all of the members of the committee. I especially commend Senator LUGAR for his contributions to this title, both in the committee and on the floor, and as we went through conference.

I want to remind everyone that the food and nutrition assistance programs affect our entire country. A lot of people say this is just the urban portion of the bill. Again, nothing could be further from the truth. Hungry people do not know city boundaries. They live in our small towns and communities. They live in the most rural areas in our country—in all parts of our country. In fact, ten percent of America's households face hunger. They include the working poor, single working mothers with children, seniors forced to choose between paying for food or paying for prescription drugs, families forced to choose between heating and eating.

The cornerstone of our safety net, the Food Stamp Program, is the most effective and efficient program ever for low-income families, the elderly, and the disabled. It is a critical work support program, one that boosts low-income families' wages and helps them make ends meet every month and put food on the table.

We have successfully addressed these issues head on and have produced a nutrition title that stands out in several respects: We have improved accessibility; we facilitate the transition from welfare to work; we reduce paperwork and redtape; and, as I said, we correct one of the harsh aspects of welfare reform, and that is, we restore food stamp benefits to legal immigrant children and the disabled right away and to legal immigrant adults who have been here at least 5 years.

The title includes other important provisions as well. It includes funding for The Emergency Food Assistance Program to help food banks and food pantries meet the needs they face, and it re-authorizes a number of other commodity distribution programs. It includes funding for both the WIC and the Senior Farmers Market Nutrition Programs. It provides additional money for commodities for schools with a focus on speciality crops.

Again, our bill also directs USDA to increase their average spending on speciality crops by setting a floor of $200 million a year for the amount of funds that must be devoted to fruit and vegetable purposes.

We succeeded not only in maintaining but enhancing the nutrition safety net for families around the Nation. I say to my colleagues, yes, you may pick one or two parts of this bill you do not like, that you wish were different; but think about the families in this country who rely upon food stamps; think about those making the transition from welfare to work, the fact they need additional assistance as they provide more income for their families; think about the children and the disabled all over this country; think about the people who go to food banks and food pantries who need this just to keep food on their table every month. That is in this bill.

Do we want to vote this bill down and send it to a conference and never have it come back? Because that is what will happen. Mr. President, I say to my colleagues, when they vote on this bill, think about the tremendous work we have done and the increases in nutrition we have provided.

The credit title reauthorizes farm money programs. We provide greater access for beginning farmers and ranchers by doing a number of things, such as increasing the percentage that USDA may lend for downpayment loans for beginning farmers and extending the term of those loans. We also take the opportunity to improve a number of the administrative provisions in farm lending programs.

There is a very strong rural development title in this farm bill. Rural communities really are part of the backbone of our whole agricultural structure, but they have not fully shared in our Nation's prosperity. For too long they have lagged behind. Rural America needs facilities and services that meet the standards of the 21st century from basic services such as sewer and water, to full broadband Internet access. Without them, the quality of life in rural communities will be impaired and businesses will not thrive.

One of the largest obstacles facing rural businesses and job growth is the lack of adequate equity capital. To help generate the investment needed in rural America, this bill funds a new rural business investment equity program. While many rural businesses are not directly associated with agricultural ventures to increase the value of agriculture, commodities in rural areas hold great potential as an engine for growth. When these value-added enterprises are owned by agricultural producers, there is a double benefit of economic growth and increased farm income. This bill provides $240 million for value-added agricultural product market development grants to help develop solid new enterprises owned by producers for adding value to agricultural commodities.

This program can also be used to support farm-based renewable energy projects, an important new provision to help stimulate a wider variety of value-added enterprises owned by farmers.

The bill includes $360 million to reduce significantly the backlog in the applications we already have on hand for drinking water and wastewater projects, crucial basic needs for rural Americans.

We also have critical provisions in this bill which will help ensure that rural America is not left behind in the information age. Currently, the Rural Utilities Service has a small pilot program that provides loans to those that want to provide broadband services to areas that do not have it. The farm bill would authorize this initiative and provide $100 million in mandatory spending over the next 6 years. This would translate into at least $400 million a year in direct loans for private and nonprofit entities to provide high-speed Internet service in rural America. This is a critically needed service that will not come to rural Americans anytime soon if we wait for the market to take care of it.

A recent report found less than 5 percent of towns of 10,000 or less have access to broadband technology. In Iowa, more than 50 percent of rural communities do not have access to broadband services, according to the Iowa Utilities Board. This loan program provides the incentive needed to ensure all Americans have the opportunity to be full participants in our digital economy and the information age.

I might add that this provision on broadband access was in the Senate farm bill. We provided this money for broadband in the Senate farm bill as it was marked up in committee. We kept it through floor debate. The House farm bill did not have this provision, but were able to keep the Senate provision on broadband in conference. I feel very strongly that this is one of the most important aspects of this bill in terms of rural economic development.

We also provide a program of $10 million per year for firefighter and first responder training. That is very important for our rural communities.

In research, the bill continues the process we began in 1998 of trying to increase the amount of money directed toward agricultural research. Over the life of the bill, funding for the Initiative for Future Agriculture and Food Systems will increase from $125 million per year to $200 million per year.

We have included a new title in this farm bill that began in our committee, came through the floor, and survived in conference. It is a new energy title which has never been in the farm bill. It is the first time it has ever been done. Not only do we have an energy title, but it includes over $400 million in mandatory spending, for renewable energy, biofuels, energy efficiency, the development of biowaste programs, as well as research on climate change. The energy title will help reduce the use of oil and gas by promoting alternative energy sources on farms and in rural communities. The energy title is a major victory for our farmers and rural communities, for national security, energy independence, and the environment.

Think again about this bill and what may happen. If this goes back to conference, if the conference report is defeated, there goes the energy package and all that we have to start producing renewable forms of energy.

In competition, the conference report includes a number of provisions that address the issues of fairness and transparency in the agricultural marketplace. The measure includes two important measures affecting livestock and poultry producers. The first provision amends the Packers and Stockyards Act to provide protections from unfair practices for swine contract producers. The second provides that all livestock and poultry producers have the right to discuss contracts with close advisers and family members.

In a major victory, the agreement includes a provision that will finally provide consumers with the information on the country of origin of meat, fish, fruits, vegetables, and peanuts. This has been championed by consumers and family farmers alike. A country of origin label will provide crucial information sought by advocates for years.

After months of fighting, we were not able to retain the provision that prohibits packers from owning livestock. The House was simply intransigent on this issue. Not one House conferee indicated support for the Senate ban on packers ownership. We had our votes in the Senate, but the House would not

budge. As I could detect, not one of the House conferees on this issue supported the measure. Although we lost the ban on packer ownership, we got country of origin label and we now put swine production contract growers under the Packers and Stockyards Act. And farmers have the right to discuss their contracts with their advisers, their families, their bankers.

However, I will say for the record, the ban on packer ownership is not a conclusion; it is just the beginning. As chairman of the Senate Agriculture Committee, for however long I am privileged to have the chairmanship, we will continue to fight intensely against unfair practices in agriculture markets and, perhaps looking down the road, we will have specific legislation targeted just at this one issue of ensuring that packers cannot own livestock prior to 14 days before slaughter.

In conclusion, this is a sound, comprehensive farm bill that will benefit all Americans—rural, urban, and suburban. It restores a sound system of countercyclical income protection for our farmers. It makes the greatest investment of any farm bill in history for the conservation of our natural resources. It promotes our exports. Our nutrition provisions go a long way to keep Americans from going to bed hungry at night. We include rural development policy that will promote economic growth, jobs and a higher quality of living in small towns and rural communities. We continue our strong support of agricultural research, and for the first time ever, an we include an energy title that will promote the development and use of farm-based renewable energy and other products.

All in all, this is a strong new farm bill for this new century. As I said at the beginning, I know people will say they don't agree with this or that. I have indicated some issues I don't agree with in the bill, but it has to be looked at overall. It is a product of compromise and hard work over a long period of time. We are a large country. What is best for my farmers and farm families in Iowa may differ for farm families in Washington State or Mississippi or Alabama or Florida. We don't grow citrus in Iowa; that is in Florida. We have to balance all of the interests of this country to come up with a bill that meets the legitimate needs of our farmers and farm families and our people in our small towns and communities, that provides a safety net, provides a better ability for our farmers to have a better income and a better life, yet reaches out to make sure people who need food assistance get the food assistance they need.

This conference report is on the verge of becoming law. The only thing that is needed now is a Senate vote. The President has already said that he supports it and will sign it, and that he wants it on his desk promptly.

As I said, this conference report restores predictability and stability. It will replace this ad hoc system of emergency payments that every year we have come out here on the floor and passed.

Those who propose to send this bill back to conference are proposing to take the new stability and predictability away from America's farmers and ranchers and rural communities and throw the entire situation into turmoil and chaos. Those who would defeat this and send it back to conference will introduce a whole new dimension of uncertainty into American agriculture at just the time that farmers, ranchers, and rural America are within a hair's breadth of a new 6-year farm bill.

The conference committee has been dissolved. If this bill were to go back, we would have to reconstitute the committee. Beyond that, there is no indication that a new conference would lead to any different result than what we have before us now. It is not in the interests of our farmers and ranchers to have no new farm bill. They do not want to watch as we struggle on through the summer on the farm bill, and into the fall, to try to patch something together. They want and they need this bill now. If we delay this bill any further, we stand a high likelihood that we will lose some of the money in the budget that we used to write this bill. We would lose an important part of the $73.5 billion that should go to agriculture.

If we do not have this in place. We will have to have yet another emergency bill, which will leave even less money to write a new farm bill. Again, if we pass this up, we forego the opportunity for better conservation, for better rural development, and a better safety net for our farmers.

Mr. President, I ask unanimous consent to have printed in the RECORD a number of letters in support of the farm bill.

First, I ask unanimous consent that the statement of the President of the United States be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

THE WHITE HOUSE,
PRESIDENT GEORGE W. BUSH,
May 2, 2002.

PRESIDENT TO SIGN FARM BILL

I congratulate Chairman Combest and the other House and Senate conferees for a job well done in completing the Farm Security and Rural Development Act of 2002.

I am pleased that the compromise agreement on the farm bill resulted in better balanced commodity loan rates; spending that is no longer front-loaded; and the strongest conservation provisions of any farm bill ever passed by Congress. The final provisions of the farm bill are also consistent with America's international trade obligations, which will strengthen our ability to open foreign markets for American farm products. While this compromise agreement did not satisfy all of my objectives, I am pleased that this farm bill provides a generous and reliable safety net for our Nation's farmers and ranchers and is consistent with the principles I outlined.

I thank the conferees for their hard work and urge Congress to send the farm bill to my desk promptly for signature to help ensure the immediate and long-term vitality of our farm economy.

Mr. HARKIN. I ask unanimous consent to enter a statement by the Secretary of Agriculture, the Honorable Ann Veneman, be printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SECRETARY OF AGRICULTURE ANN M. VENEMAN, REGARDING CONFERENCE COMMITTEE FARM BILL AGREEMENT, APRIL 26, 2002

We are encouraged by the efforts of the House and Senate Conferees in reaching an agreement on the framework of a new farm bill. As President Bush said on Wednesday, "the farm bill needs to be completed quickly." With this action, farmers should soon know the details of the long-awaited farm bill, which would bring certainty in the coming years.

We commend Chairman Combest for his leadership in achieving a compromise agreement. Many objectionable provisions have been eliminated that we believe would not have been in the best interests of America's farmers and ranchers.

While details still need to be completed, the agreement appears to include more market-oriented and rebalanced loan rates as well as increased emphasis on conservation programs for working lands. However, we look forward to examining more closely the specific provisions of the agreement, including final cost estimates from the Congressional Budget Office to ensure the agreement adheres to the intent and the spirit of the Congressional Budget Resolution.

This is a most critical time in regard to farm bill implementation for the 2002 crop year. Final action must be concluded now to enable farmers and ranchers to make the necessary business decisions. While USDA has been working hard to prepare for implementation, there is no doubt that this will be a formidable task in the coming months.

Again, we are pleased that an agreement has been reached and look forward to continuing our work with the Conferees for a timely resolution to completing this important legislation.

Mr. HARKIN. I have a letter signed by 30 organizations. I will not read all of them, but I will read a couple of paragraphs.

The organizations listed below extend our gratitude to members and staff of the Farm Bill Conference Committee for their tireless efforts in achieving a workable compromise. . . . It is imperative that the Senate also take immediate action and adopt the farm bill conference report.

As I said, this is from 30 organizations, from the Agricultural Retailers Association to the American Farm Bureau Federation, American Soybean Association, the American Sugar Alliance, the American Sugarbeet Growers Association, American Sugar Cane League, Co-Bank, National Association of Wheat Growers, National Barley Growers Association, the National Corn Growers Association, the National Cotton Council, the National Farmers Union, the National Grain Sorghum Producers, the National Milk Producers Federation, the National Pork Producers Council, the National

Sunflower Association, Ocean Spray, Inc., Rice Millers' Association, South East Dairy Farmers Association, the Southern Peanuts Farmers Federation, the U.S. Canola Association, U.S. Rice Producers Association, the United Egg Producers, and the Western United Dairymen—30 broad-based farm groups supporting this bill.

I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MAY 7, 2002.

Hon. TOM HARKIN,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR HARKIN: The organizations listed below extend our gratitude to members and staff of the Farm Bill Conference Committee for their tireless efforts in achieving a workable compromise for comprehensive reform in our nation's farm policy.

In response to the critical need of farmers and their lenders to immediately know the rules and regulations under which they must operate, the House of Representatives acted swiftly to adopt the farm bill conference report to H.R. 2646, by a vote of 280–141. With farmers in their fields now planting this year's crop, it is imperative that the Senate also take immediate action and adopt the farm bill conference report. Adoption of this farm bill will assure them that they will have an adequate, long-term safety net in place now and in the future.

This farm bill has been debated in field hearings throughout the country, in House and Senate committees and on the floor of both chambers for more than two years. It is now time to end debates as well as farmers uncertainty. We urge the Senate to immediately adopt the farm bill conference report and send it without unnecessary delay to the President for his signature and implementation for the 2002 crop.

Sincerely,
Agricultural Retailers Association.
Alabama Farmers Federation.
American Cotton Shippers Association.
American Farm Bureau Federation.
American Society of Farm Managers & Rural Appraisers.
American Soybean Association.
American Sugar Alliance.
American Sugarbeet Growers Association.
American Sugar Cane League.
CoBank.
Fresh Solutions.
National Association of Wheat Growers.
National Barley Growers Association.
National Corn Growers Association.
National Cotton Council.
National Farmers Union.
National Grain Sorghum Producers.
National Milk Producers Federation.
National Pork Producers Council.
National Sunflower Association.
Ocean Spray, Inc.
Rice Millers' Association.
South East Dairy Farmers Association.
Southern Peanuts Farmers Federation.
U.S. Canola Association.
U.S. Rice Producers Association.
U.S. Rice Producers Group.
USA Dry Pea & Lentil Association.
United Egg Producers.
Western United Dairymen.

Mr. HARKIN. I ask unanimous consent several statements from different U.S. commodity groups and broad-based groups be printed.

I have a letter from the National Farmers Union that I ask be printed at this point in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL FARMERS UNION,
May 1, 2002.

U.S. SENATE,
Washington, DC.

DEAR SENATORS: On behalf of the 300,000 family farmer and rancher members of the National Farmers Union I write to encourage your support of the conference report on ''The Farm Security and Rural Investment Act of 2002'', the 2002 farm bill adopted by the House and Senate conferees.

Due to depressed commodity prices and failure of the 1996 Freedom-to-Farm legislation to provide an adequate safety net for producers, approval of this legislation is of critical importance to America's farmers, ranchers and rural communities. The legislation represents meaningful progress in providing a more stable and reliable farm income for producers and greater certainty for their lenders. In addition, it makes available significant additional investments in the conservation of our natural resources, research, development and commercialization of viable renewable and bio-based energy production, enhanced rural development programs, improved domestic and international nutrition assistance and expanded consumer information concerning the origin of their food supply.

In short, it is a comprehensive measure that represents a positive step forward on many issues important not only to commodity producers but also rural communities and the population as a whole.

While we fully recognize that the legislation is not perfect, and we will seek to correct those shortcomings in the future, we believe the economic certainty the farm bill provides farmers along with its renewal investment in rural America warrants a positive vote for its adoption by the Congress.

Thank you for your consideration and support on this issue.

Sincerely,
DAVID J. FREDERICKSON,
President.

MAY 7, 2002.

Hon. TOM HARKIN,
U.S. Senate, Hart Senate Office Building, Washington, DC.

DEAR SENATOR HARKIN: The organizations listed below extend our gratitude to members and staff of the Farm Bill Conference Committee for their tireless efforts in achieving a workable compromise for comprehensive reform in our nation's farm policy.

In response to the critical need of farmers and their lenders to immediately know the rules and regulations under which they must operate, the House of Representatives acted swiftly to adopt the farm bill conference report to H.R. 2646, by a vote of 280–141. With farmers in their fields now planting this year's crop, it is imperative that the Senate also take immediate action and adopt the farm bill conference report. Adoption of this farm bill will assure them that they will have an adequate, long-term safety net in place now and in the future.

This farm bill has been debated in field hearings throughout the country, in House and Senate committees and on the floor of both chambers for more than two years. It is now time to end debate as well as farmers uncertainty. We urge the Senate to immediately adopt the farm bill conference report and send it without unnecessary delay to the President for his signature and implementation for the 2002 crop.

Sincerely,
Agricultural Retailers Association.
Alabama Farmers Federation.
American Cotton Shippers Association.
American Farm Bureau Federation.
American Society of Farm Managers & Rural Appraisers.
American Soybean Association.
American Sugar Alliance.
American Sugarbeet Growers Association.
American Sugar Cane League.
CoBank.
Fresh Solutions.
National Association of Wheat Growers.
National Barley Growers Association.
National Corn Growers Association.
National Cotton Council.
National Farmers Union.
National Grain Sorghum Producers.
National Milk Producers Federation.
National Pork Producers Council.
National Sunflower Association.
Ocean Spray, Inc.
Rice Millers' Association.
South East Dairy Farmers Association.
Southern Peanuts Farmers Federation.
U.S. Canola Association.
U.S. Rice Producers Association.
U.S. Rice Producers Group.
USA Dry Pea & Lentil Association.
United Egg Producers.
Western United Dairymen.

Mr. HARKIN. I ask unanimous consent a statement from the National Association of Conservation Districts, on behalf of the Nation's 3,000 conservation districts, urging us and our colleagues to pass the bill be printed in the RECORD. I also have letters from The Nature Conservancy, Pheasants Forever, Ducks Unlimited, the National Rifle Association, Congressional Sportsmen's Foundation, International Association of Fish and Wildlife Agencies, Quail Unlimited, The Wildlife Society and Wildlife Management Institute encouraging Senators to support final passage of this bill.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF CONSERVATION DISTRICTS,
Washington, DC, May 2, 2002.

Hon. TOM HARKIN,
Chair, Committee on Agriculture, U.S. Senate, Washington, DC.

DEAR CHAIRMAN HARKIN: On behalf of the nation's 3,000 conservation districts, I applaud your efforts in crafting the Farm Security and Rural Investment Act of 2002. This new Farm Bill goes far beyond current law with an enormous investment in private lands conservation and forestry programs.

We strongly urge you and your colleagues to pass H.R. 2646 today and oppose any motion to recommit this bill.

Again, thank you for your continued support.

Sincerely,
J. READ SMITH,
President.

Mr. HARKIN. I ask unanimous consent a letter from the Coalition for Food Aid, Adventist Development & Relief Agency International, Africare, ACDI/VOCA, CARE, Catholic Relief Services, Counterpart, Food for the Hungry International, International Relief & Development, Mercy Corp., OIC International, Save the Children, TechnoServe, and World Vision—a letter supporting this bill, asking for its immediate passage, be printed in the RECORD. That is from the Coalition for Food Aid.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

COALITION FOR FOOD AID,
Washington, DC, May 1, 2002.

Hon. LARRY COMBEST,
Chairman, Committee on Agriculture, House of Representatives, Washington, DC.

Hon. TOM HARKIN,
Chairman, Committee on Agriculture, Nutrition and Forestry, U.S. Senate, Washington, DC.

DEAR CHAIRMEN COMBEST AND HARKIN: The members of the Coalition for Food Aid would like to thank you and the Conferees on the Farm Security and Rural Investment Act of 2002, H.R. 2646, for strengthening and expanding US international food aid programs. Coalition members are US private voluntary organizations and cooperatives (jointly called ''PVOs'') that conduct food aid programs overseas directly engaging 30 million beneficiaries each year, with collateral assistance reaching 200 million more. By providing food aid through PVO programs, the assistance is leveraged greatly through our networks in developing countries and emerging democracies. We are grateful to work in partnership with the US Government, and thank the Conferees for incorporating provisions to strengthen the cooperation between USAID and USDA with PVOs.

The Trade Title of H.R. 2646 will increase the minimum tonnage used for the PL 480 Title II program by nearly 500,000 metric tons each year. It also requires 75 percent of that tonnage to be used in programs in persuasively poor communities to improve people's health, living conditions and incomes. To help populations that suffer from chronic hunger, merely creating welfare programs of large-scale food distribution is not the answer. Thus, we appreciate the Conferees reassertion of the importance of using food aid in programs that help people help themselves. We also appreciate the increased availability of cash assistance to support program management and logistics costs.

In food deficit, import-reliant countries, monetization provides a boost to the economy and allows needed commodities to be provided through the market. The generated proceeds supports the cost of program implementation and management, and allows effective grassroots development in poor communities. Where monetization is feasible, rather than just exporting cash to support program costs, US commodities can be exported providing an additional benefit to the US agricultural sector. We appreciate the Conferees support for uniform monetization procedures at USDA and USAID, including sales for the local market price and sales for either dollars or local currencies. This will allow the use of the appropriate commodity for monetization, even if it is a hi-value product.

We are most grateful that H.R. 2646 sets a of 400,000 meteric tons minimum for CCC-funded Food for Progress programs. We are greatly concerned, however, that the Administration will no longer permit nongovernmental organizations, such as PVOs, to carry out Food for Progress programs. PVOs provide effectiveness and accountability to the Food for Progress program. These organizations are required under US law to have transparent management and accounting procedures. Further, eliminating PVO participation in Food for Progress would run counter to the intent of the program, which emphasize private sector development in countries that are making economic reforms in their agricultural economies.

We applaud the Conferees decision to include report language informing the Administration that PVOs and other nongovernmental organizations should continue to have access to this program. We are still concerned that the Administration's Food Aid Review concluded that USDA programs should no longer involve PVOs. Before the Administration finalized plans for FY 2003 Food for Progress, we ask that you continue to urge the Administration to assure that PVOs will be allowed to participate in this program.

Moreover, we believe it would be very disruptive to remove Food for Progress from the Secretary of Agriculture's authority and shift it to USAID. USDA's Foreign Agricultural Service is well-suited to manage these programs which emphasize private sector and agricultural development in emerging markets. Further, it would take a very long lead time for USAID to establish procedures for administering a new food aid program.

One of the most beneficial aspects to the legislation is its emphasis on flexibility for choosing the appropriate commodities and interventions to meet local needs and to require streamlined program management. If the flexibility and streamlining provisions are implemented within the spirit of the legislation, then the result will be more effective programming and the elimination of redundancy and unnecessary paperwork. These changes are particularly important for the PL 480 Title II program, and we pleased that the Conferees required USAID to implement changes within one year and to keep the Congress informed of progress made.

The establishment of the International Food for Education and Nutrition program will allow the continuation of pilot programs initiated under the USDA FY 2001 Global Food for Education Initiative. PVOs have a great deal of experience with food for education and look forward to participating in this expanded pilot program. The legislation sets appropriate objectives and focus for the program on young school children and mothers and infants. Further, the objectives of improving educational opportunities and food security, rather than short-term feeding programs, would allow these funds to have an impact beyond the short period in which the commodities are made available.

Overall, the legislation makes many improvements in US food aid programs and requires higher tonnage levels for PL 480 Title II and Food for Progress. As organizations that conduct food aid programs overseas, we wish to express our gratitude and support for these changes.

Sincerely,

ELLEN S. LEVINSON,
Executive Director.

Mr. HARKIN. I ask unanimous consent that the American Public Human Services Association letter, on behalf of food stamp program directors around the country, asking we give immediate passage to this legislation, be printed in the RECORD. I also want to mention other letters we received in support of the nutrition title of the farm bill. These include letters from the Food Research and Action Center, America's Second Harvest, the Center on Budget and Policy Priorities, the National Conference of State Legislatures, and the American Dietetic Association.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

AMERICAN PUBLIC
HUMAN SERVICES ASSOCIATION,
May 2, 2002.

Hon. THOMAS A. DASCHLE,
Majority Leader, U.S. Senate, Capitol Building, Washington, DC.

Hon. TRENT LOTT,
Minority Leader, U.S. Senate, Capitol Building, Washington, DC.

DEAR MAJORITY LEADER DASCHLE AND MINORITY LEADER LOTT: We write concerning the conference report filed yesterday for the Farm Security and Rural Investment Act of 2002, H.R. 2646. The American Public Human Services Association, which represents the nation's public human service administrators, is very pleased with the nutrition title of this bill and urges passage of this legislation.

The nutrition title contains significant reforms and improvements in the Food Stamp Program. These reforms are consistent with the principles contained in APHSA's 2001 policy document, Crossroads—New Directions in Social Policy. In Crossroads, we strongly advocated reforms that include simplified eligibility; streamlined application processing; restoration of benefits to legal immigrants; other benefit reforms and updates; a rational resource policy; transitional benefits and other strengthened supports for working families; administrative flexibility; and other changes that will make the program simpler and more accessible. The farm bill has achieved many of these goals and represents a milestone in the efforts to strengthen this vital safety net program.

Thank you for your consideration and for your efforts to secure passage of this critical legislation. If you have any questions, please contact me or Elaine Ryan, Director of Government Affairs, at (202) 682–0100.

Sincerely,

JERRY FRIEDMAN,
Executive Director.

Mr. HARKIN. This is a letter from the Farm Credit Council asking we get this bill passed immediately. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

THE FARM CREDIT COUNCIL,
Washington, DC, May 2, 2002.

Hon. TOM HARKIN,
Chairman, Committee on Agriculture, Nutrition and Forestry, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: We are writing in support of the conference report on The Farm Security and Rural Investment Act of 2002 and to urge its speedy passage in the Senate. The conference report would provide much needed assistance to our nation's farmers, ranchers and rural communities, many of which have been suffering through the longest round of low commodity prices in memory.

We appreciate that the conference report is a product of long negotiations and commend you and your colleagues for shaping legislation that will provide a long-lasting safety net for our nation's agricultural producers. With record low commodity prices and sluggish export demand for U.S. farm products, this legislation is critical to ensuring that U.S. farmers and ranchers can continue to supply the world with the safest and most cost efficient food and fiber.

As you know, Farm Credit's mission is to maintain and improve the quality of life in rural America and on the farm. This legislation will help Farm Credit continue our mission. We especially want to commend you for

your leadership in building a strong rural development component of the bill. Specifically, the Rural Business Investment Company program, we believe, will spur needed equity investment in rural businesses, particularly value-added agricultural businesses. For too long, our rural communities have suffered from a shortage of equity capital. The RBIC program will help alleviate some of this shortage.

We also commend you and your colleagues for a sound, constructive credit title. The changes made will help Farm Credit maintain its commitment to provide reliable and competitive credit to agricultural producers, rural businesses and rural communities.

Thank you for your leadership in advocating for rural America.

Sincerely,

KENNETH E. AUER,
President and CEO.

Mr. HARKIN. This letter is from the Environmental And Energy Study Institute pointing out the important energy title in this bill, asking this bill also be passed as soon as possible. I ask unanimous consent it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ENVIRONMENTAL AND
ENERGY STUDY INSTITUTE,
Washington, DC, May 2, 2002.

INNOVATIVE ENERGY TITLE INCLUDED IN 2002 FARM BILL

The Environmental and Energy Study Institute (EESI) today congratulates the Senate and House Farm Bill conferees for including an innovative new energy title in the conference report, especially Chairman Tom Harkin and Senator Richard Lugar for their leadership in crafting this important legislation. The title provides $201 million over the life of the bill to assist farmers and ranchers in making energy efficiency improvements and developing their renewable energy resources.

''While this small, bipartisan, non-controversial new title has not gained much media attention, it is perhaps one of the most important provisions in the Farm Bill for the future of American agriculture. The only solution to the current farm crisis is the development of new markets, new uses for crops, and new revenue streams for farmers. Renewable energy can be the new cash crop for the 21st Century,'' said Carol Werner, Executive Director of the Environmental and Energy Study Institute. The energy title:

Establishes federal agency purchasing preference for biobased products;

Creates a program to educate the public about the benefits of biodiesel (a renewable fuel made from vegetable oils);

Provides financial and technical assistance to farmers, ranchers and rural small businesses for the purchase of renewable energy systems and to make on-farm energy efficiency improvements;

Extends and funds the Biomass Research and Development Act through 2006; and

Establishes new authorized programs to fund energy audits and renewable energy assessments and to establish biorefineries for the production of electricity, fuels, and biobased products.

The Farm Bill also opens up existing rural development and ''value-add'' grant and loan programs to renewable energy projects. In addition, it would allow wind energy and bioenergy projects on Conservation Reserve Program lands where compatible with the established conservation goals of the program.

''EESI salutes the members of Congress and the diverse coalition of groups we worked with to make the energy title a reality,'' said Werner. ''Developing our nation's on-farm renewable resources is key to diversifying our energy market, enhancing national security, protecting our environment, and revitalizing rural America by spurring development of new businesses and jobs—truly a 'win-win-win' opportunity that is good for American farmers and good for the country.''

Mr. HARKIN. Mr. President, we have a broad array of producer groups supporting this bill, a broad array of human services organizations that recognize what we have done in this bill for nutrition and for food support and organizations involved in trade and export supporting this bill. We also have support from conservation and wildlife groups who work with producers participating in the conservation programs. Those involved in rural economic development broadly support this bill for the work we have done to invest in our rural towns and communities. I am not saying every single person or organization supports this bill. What I am saying is, if you look at the broad array of the groups I mentioned, you will see there is broad and deep support for passing this bill and sending it to the President as soon as possible.

I yield the floor.

The PRESIDING OFFICER (Mrs. CARNAHAN). The Senator from Indiana is recognized.

Mr. LUGAR. Madam President, I yield myself as much time as I may require.

Madam President, let me commence by thanking our distinguished chairman, Senator HARKIN, for his leadership. It is not an easy task to be chairman of a committee during a farm bill consideration, given all of the requirements for equity and forethought throughout America. Equally, the chairman of the House committee and the ranking member, Mr. COMBEST and Mr. STENHOLM, have guided a very large committee for its consideration and an equally complex conference.

Those who have served on the staffs of both the majority and minority, in both Houses, have given extraordinary service in the past few weeks. Sometimes they alone, really, have understood how comprehensive and how complex this issue is, and they have been extraordinarily helpful to Members, members of the press, and other constituent groups.

This bill comes to the floor with an extraordinary amount of work and devotion by persons who have strong motives and strong ideals. Let me point out, as I have during the debate in committee as well as on the floor, very strong achievements have occurred. The chairman has outlined a number of these in the areas of conservation and rural development and research and nutrition and energy. In the Senate committee and in our bill on the floor, Members included those items with a great deal more strength and money than our House colleagues.

One of the predicaments from the beginning was that our bill, as it left the Senate floor, as it turned out, cost $6 billion more than the limits. So immediately a scaling back of those items in which there was strong bipartisan support had to occur, and further scaling back occurred as we tried to reach a compromise with House colleagues, who were much more focused on the commodity sections of the legislation.

Let me outline the arguments I am going to make this morning and then return to fill in the details that I think would be helpful to Senators as they consider their vote on this conference report.

I start with the thought that the Senate, in a very real sense, is a board of directors that has governing responsibilities for our country. Our responsibilities are broader than a corporate board and deal with the economic and humanitarian concerns of private firms. We really have a trusteeship regarding the funds, the security, and continuity of our country. Each of us takes that seriously. And each of our votes on this farm bill conference report we know must withstand the scrutiny of history. This is not a temporary bill; it is one of many in a long saga of developing farm bills, but it will have ramifications for millions of Americans.

Second, most Senators—perhaps all of us—take very seriously the obligations we have as a part of that trusteeship to the Social Security trust fund and to the Medicare trust fund. From time to time, we have vowed merely to protect the importance of the so-called lockbox idea; namely, that these very important social funds and safety net funds for all Americans must be protected.

That enters into this consideration because, very clearly, as this debate has continued, the estimates of the Federal deficit for the fiscal year in which we are now have grown to $100 billion. Pessimists believe the deficit for the fiscal year that ends September 30 may in fact be more than $100 billion. That means we are having this debate after a time in which there were budgetary assumptions—well over a year ago—that our country would have a surplus this year, in terms of our current accounts, and throughout many years. In fact, in the euphoria of those days, $3 trillion was often mentioned in discussions of a surplus, giving ample room to Social Security reform, Medicare reform, and such items as the farm bill. But those times are gone, and the cost of the farm bill still continues to rise with each subsequent estimate by the Congressional Budget Office or by others.

I mean specifically that even as we completed our work in the Senate and believed that on a 10-year basis we were adding $73.5 billion of additional spending, in fact the Senate farm bill cost $6 billion more than we had been allotted by the Senate Budget Committee.

Just yesterday—the Congressional Budget Office wrote to our chairman, Senator HARKIN, indicating that, sadly enough, the conference report that we thought comprised $73.5 billion of spending in addition to the current baseline is, as a matter fact, $9.5 billion over what the Budget Committee allocated for additional spending. In short, this argument we have been having about holding spending below $73.5 billion is now rendered moot by the fact that, based on the most recent CBO estimates, we are talking about $82.8 billion.

The Congressional Budget Office does not leave us in doubt as to what has occurred. It says essentially that the increase stems primarily from our current assumptions that prices for many commodities will be lower in 2003 and beyond than they had assumed just last year.

But, in fact, I will argue in due course that it is very probable that prices will go lower still, that the effect of this farm bill is an inevitable vast oversupply of agricultural commodities and lower prices. Therefore, given the technical way in which the bill has been put together, we are almost bound to have increasing costs for the bill each year for the duration of the farm bill.

Some would say that should this spending lead to humanitarian aspects for all Americans—better nutrition—better conservation of our natural resources, breakthroughs in terms of our energy dilemmas, opportunities for young farmers to come into agriculture—that these are important expenditures. And, as trustees for our national wealth, we have to balance them with Social Security and Medicare.

Of course, overhanging all of this discussion, since September 11 and our nation being at war, there are vastly increased financial demands regarding our national security and homeland defense.

But the moneys that are involved in this farm bill do not primarily go to considerations of conservation, nutrition, energy, and development of rural communities. This conference report costs an additional $82.891 billion on a 10 year basis. That is an increase of almost $9.5 billion since we finished the conference report. Of that $82.8 billion, $56.7 billion goes to the commodity programs—title I. That is roughly 70 percent of all of the spending. A specific area of commodity programs has almost all the additional money added to it; namely, the so-called program crops. It came out of conference at $41 billion, and it is now about $49.5 billion. That is where the money is, and that is where the increases are occurring because of lower price estimates and policies that are almost guaranteed to lower the prices more.

If this large expenditure for commodity prices were going in some equitable way to farmers throughout America this might be somewhat tolerable. It is estimated that there are roughly 2 million persons in agriculture, using a definition that each entity which has $1,000 of agricultural income is certified as a farmer. In our debates, we have noted that perhaps of these 2 million farmers, approximately 150,000 produce as much as 80 percent of the value of all agricultural commodities produced.

I am not here to debate about the structure or definition of agriculture. But a lot of the rhetoric that has accompanied this bill and previous farm bills revolves around trying to save the small family farmer, or even the medium-sized family farmer, or even the very large family farmer. In fact, two-thirds of the payments under this program crop section—$49.5 billion on a 10-year basis—are going to go to 10 percent of farmers who are in the commodity row crop business. That is a minority of the farmers in America about whom we are talking. Only 40 percent of farmers, in fact, are going to be involved in producing program crops. Sixty percent of farmers are not in that ball game at all.

So when we talk about $49.5 billion going to program crops, we are talking about 40 percent of farmers, and we are talking about the fact that two-thirds of the money goes to 10 percent of the farmers.

Any way you look at it, this is a highly concentrated system of payments. It is not new. We did not just discover this. The evidence was very clear, as conferees looked at the figures of the past, even as they projected these payments into the future.

Therefore—and here there are winners and losers—if you are now a landowner in America, it is highly probable that your land will increase in value. Why? Because with some predictability, as the chairman pointed out, with some degree of certainty, you can count upon receiving substantially more money. If you own the land, that will be of benefit to your banker if, in fact, you borrowed to put the crop in—the banker having some certainty that the collateral, namely, the land behind the loan, will be worth more year by year.

If you are one of 42 percent of farmers in this country who rent land as opposed to owning land, you face a very tough set of circumstances. Your rents are very likely to go up each year as the value of the land goes up. Worse still, if you are a young farmer who hopes someday to own land, then your prospects of getting the money to do that, and being able to pay the price, of course, diminishes year by year. And that has been occurring in America. As a result, there are young farmers who are in farm families who are hopeful that with the reduction or, hopefully, the repeal of Federal estate taxes, that they might inherit the land. Others who are not in such situations are likely to be out of luck. So as a result, it is predictable that the average age of farmers in this country will continue to increase, as it has been increasing in recent decades. That contributes, in part, to the consolidation in farm ownership.

In spite of all of the rhetoric and all of the attempts to talk about perpetuating the small family farm, or the medium or even the large farms, the facts are, that consolidation is increasing, and this bill will increase it by leaps and bounds.

Some have pointed out—I heard this in the conference committee—we are not discussing a welfare bill, we are not talking about everybody's plight. We are talking about agricultural policy principally for those who have some power and authority in America now and who have expressed that through farm organizations and commodity groups. Their voices have been heard, and their views are reflected in this conference report.

Word of all of this has gone abroad. Our world trading partners are already outraged. Some members of the conference have already dismissed this and said, essentially, that is simply too bad, what we are talking about are American farmers, not European farmers or South American farmers or Australian or New Zealand farmers. We are talking about Americans who need this money and need it in a hurry. They have simply indicated that already we are discriminated against by countries abroad and blocked at almost every turn as we try to export more; and, therefore, if the rest of the world is outraged, so be it.

I understand that feeling and the frustration that each one of us has in seeing the lack of success that our trade negotiators have had in recent years in this administration and the last. That frustration is very great. But it does not hide the fact we have to be successful in exporting much more agricultural produce into this world, or the surpluses that we build in this farm bill will come up around our necks with much greater tragedy not only for farm families but, I believe, for the American people as the cost of this bill continues to rise and prices continue to fall.

Perhaps worse still, I believe a pattern has been perpetuated in the consideration of this farm bill that is very serious for this body and for the American people to consider. Essentially, this bill is largely an attempt to respond politically to deeply felt economic issues in specific States and districts. It is an attempt, in a very closely divided Congress, to try to think through individual situations of Senators and Members of the House, with the thought that party control of either body may be a much more important objective than careful economic analysis or maybe even careful stewardship of the funds for which we are responsible.

Therefore, my prediction would be that this farm bill does not bring stability, certainty, or finality. The criticism has been that the last farm bill was overtaken by events and, thus, we

came to the floor for the last 4 years with supplemental farm legislation, meaning more money, supplemental funds to augment whatever was in the bill. This was followed—usually in the appropriations cycle—by our colleagues in the agriculture subcommittee noting disasters around our lands: sometimes weather disasters, sometimes disasters of whatever may have come along the pike. So at least we have become accustomed to two additional rounds of farm spending annually. It may be that I have misread the situation. If so, the history of the next few years will indicate that. But I would predict, given the highly politically competitive, sensitive aspects of this bill, and the fact that the bill is likely, in my judgment, to lead to overwhelming surpluses, continually lower prices, and expressions of agony by farmers who say, ''What are you going to do to raise prices?''—that despite the thought that there is certainty involved in this, the most certain fact is that we are likely to return with proposals to spend more money on farm programs, and principally programs in the commodity areas, which are deserving of 70 percent of the attention or more in this farm bill.

Meanwhile, the bottom line is that a large transfer payment of money in this country will occur if this farm bill reaches conclusion, is passed, and signed. The money that Americans hold, on which they are taxed, the money going through the taxation process, goes from a prohibitive majority in this country to very few persons in this country.

That is important to note because if, this transfer from the many to the few produced stronger farm prices and prospects for greater trade success, perhaps one could argue that this approach is justified. What I am arguing is precisely the opposite.

This large transfer of money from ordinary taxpayers to a very few taxpayers is going to result in lower prices, overwhelming surpluses, and aggravated trade circumstances that are not going to be healthy for American agriculture, that will attract fewer young people coming into farming, and mean higher rents for those who do not own land. The value of land based upon annual, sometimes biennial appropriations by the Congress that has poured more and more money into farming situations that have the greatest loans, that have the greatest output of production. At some point there may come a year in which the public understands the farm bill situation and says: Enough. And at that point, land values will come down, as they have again and again in the history of American agriculture.

My experience on the committee spans about 25½ years. I can recall the excitement in my home State of Indiana and throughout the country as land values rose in the 1970s, in some cases doubling and tripling. I can remember likewise the terrible jolt brought by the very high interest rates in the latter part of the 1970s and early 1980s as well as other factors that led to a decline in those very same land values by 50 and 60 percent on average and worse in some cases. Now we have noted steady accumulation of values over the course of time.

I have had the good fortune, at least with regard to my own land, of farming throughout that period and watching the prices of land go up and go down and go up again and so forth, without being hurt in the process. Most other people in agriculture have not been so fortunate.

I would simply say that we are headed for economic disaster if—for the farm bill that we are about to pass in the commodity area—high land values are based upon the political competition—as has happened in this farm bill.

Let me review quickly some arguments that buttress this general outline. First of all, we got into the farm bill debate this year with a very unusual budgetary estimate. By that I mean, in a bipartisan way, Senators and members of the administration were deeply excited over the fact that our country was beginning to run surpluses; that is, we were spending less money than we were taking in. We seemed to have stronger economic growth, much higher productivity in the entire economy.

As a result, I remember the President's State of the Union Address in which he discussed the broad objectives that might be met; namely, a strong safety net under Social Security, allaying the anxieties of middle-age and young people; even more complex, that Medicare not only might be shored up but prescription drugs for the elderly might come to pass.

There were a whole raft of other reforms that are terribly important to a population of this country that grows older, that has more people in the 60s, 70s, 80s, 90s, and that is likely to be our situation because of medical miracles and better health care. These are very expensive situations involving hundreds of billions of dollars. But nevertheless, those were days in which it appeared that those objectives were on the horizon and might be met.

We are not debating those issues in this session of the Senate, important as they are to the American people. Again and again, we are reminded, whether it is by the pollsters or by advisers and so forth, that these are the issues the American people want to talk about. We can't talk about them because we are running a deficit. That deficit continues to grow.

That was apparent in the early fall when the House of Representatives passed the farm bill. One of the reasons suggested for such early passage of that farm bill, a full year before the current farm bill runs out, was that some Members said: ''Listen up, in the event you do not pass a farm bill quickly, the $73.5 billion allocated by the Budget Committee back in the spring of 2001 is likely to be revised, downgraded to a much smaller number.'' In essence, there will be much less money to spend on a farm bill. So, therefore, get on with it. Pass it, and pass it quickly to pin down that money.

We heard the same argument on the floor of the Senate during the latter part of the fall. Something had changed in the interval that was very fundamental for our country; namely, we were at war. We were having simultaneously debates, as the Chair will recall, on upgrading the defense budget, on a loan situation to shore up the airlines so we would not lose that service, the first outlines of a huge new category, homeland defense. All of that was occurring as economists pointed out month by month, we think we may be in a recession.

By the time we finished at least last year's session and had our last debate on the farm bill in December, economists said: We are in a recession. We are experiencing recession, in addition to war.

I noted at the time we debated the farm bill, whether it was in the House or in the Senate, an almost Alice-in-Wonderland world prevailed in Congress, as if somehow the war, the recession, the problems of Medicare and Social Security were for some other group to talk about but not this Congress. We were intent upon talking about additional subsidies for farmers. We already had, as people point out, the so-called baseline of about $100 billion for agricultural spending over 10 years. We developed a habit of having additional debates and adding to that baseline—now at $73.5 billion over 10 years.

That situation has continued. As a matter of fact, the recession and the Government's deficit have become reality. And the assumptions that were made in the farm bill debates of last fall have all led to much higher scoring, which means the Congressional Budget Office finds that things we thought would cost X number of dollars inevitably cost a whole lot more.

Prices deteriorated further during the debates, and that led to urgency on the part of some who have said: ''Don't stand there, do something about it—shore up those prices, give greater certainty to farmers.''

Madam President, the deficit is not going to go away. As we now observe on the Senate floor, we have yet to discuss a budget for this year, and some suggest we may not. This means that the appropriations committees will move ahead without at least the mild restraint that a budget resolution might give to our work. In fact, we know that in the supplemental appropriations bill that is coming up for defense expenditures of an emergency nature, we are going to spend a lot more money. We know that because of the discussion all over the country in the 50 States about the requirements for homeland defense.

Now, at some point, some Senator will arise—certainly not in a farm bill debate, but in another debate, and point out: ''Whatever happened to the Social Security lockbox? How secure is Medicare? What are we going to do about prescription drugs for the elderly?''

What indeed. We are about to spend those moneys—or simply run up a deficit that is huge. That is the message of this conference report to the American people. Whatever may be the desire for some certainty that a farmer can get almost $2 a bushel for corn, the certainty for all other Americans is that we are going to have a larger deficit; that the prospects for solving Social Security and Medicare are set back; that we as trustees for the American people either do not understand that farm bills cannot be discussed in a vacuum, divorced from the rest of the world, or that we are so deliberate about our intent to spend this money, come hell or high water, that we plunge ahead.

I mentioned some specifics, and I will not get into the program details that the distinguished chairman pointed out. Let me tell from my own anecdotal experience as a farm owner—one who participates in the management of my farm through the farm plan, through the bookkeeping, the legal work, and the other things that need to be done for a family farm situation. I am aware that, at least in Indiana, if I produced corn in the last few years, I could get $1.89 a bushel for every bushel under the so-called loan deficiency payment. That meant simply if the market price was $1.75, at some point I was going to get the other 14 cents through the loan program. Now, most farmers would testify that $1.89 is a pretty low price. In fact, some have come into the Agriculture Committee and said our average cost per bushel is closer to $2.50 a bushel. But others have mentioned that, in fact, the marginal cost—that is, the next bushel if they were to add it to their farm operation—frequently costs less than $1.89. That is true of many of the largest, most efficient farms in the country that have the equipment and the capital to do that kind of a job. I am suggesting that even at the current $1.89 loan rate, inadvertently—because most of us felt that, at $1.89, this would be a floor—we have set up an incentive. Farmers were beginning to produce more and more corn because, at $1.89, they were guaranteed a price and they went for it. I can understand that and so can you.

In this current bill, however, we have said that this is not enough. First of all, we will set the loan rate up higher, at $1.98 for the first two years, and $1.95 for the remaining 4 years.

Madam President, for each farmer—myself included—attempting to calculate the best interest of whether to use past history with regard to acres planted, with regard to yields and the percentage of those who were allowed into this bill, to apply the target price, this is not an easy task. Once you make the decision, you are stuck with it.

My judgment is that a great number of farmers are going to believe they made an error, and that they are going to want relief. Every FSA office, and other groups in the country that help farmers, are going to spend a great deal of money trying to figure out what the situation is for these individual farmers long before payments can be made.

I do not fault the authors of the bill. In order to keep scaling down the costs, they had to keep making it more and more complex—almost to the point that Senators sitting around the conference table found it very difficult to calculate and to understand precisely what we were doing—quite apart from members who must vote on this conference report, and apart from farmers throughout America who must somehow figure out what it all means.

But what most farmers will think it means is that out there somewhere is $2 loan rate for a bushel of corn. That is quite an incentive. That is well beyond $1.89. As a matter of fact, it was interesting; last Thursday, in commodity trading in America, the futures prices of almost all farm commodities went down, largely under the assumption—which I think is correct—that if this bill passes, the prices of everything are going to go down, and stay down. Nevertheless, there was some glimmer of hope. If you were a cotton farmer taking a look at this bill on the date the bill passed the House, for early contracts on cotton, it was about 33 cents a pound. Well, the target price for cotton in this bill is 72.4 cents a pound. That is double the current market price.

How could this be? How could we have something that is so divorced from reality in terms of supply and demand in this country and in this world? Well, we can have it because there were sufficient votes on the conference committee, and in the House, to put 72.4 there as a target price and, further, on top of that, to offer subsidies to some industries that are attached to cotton.

One can say that things have not been going well for cotton farmers and for the communities and the infrastructure that support them. I understand that. One can say the same for rice farmers, wheat farmers, corn farmers, and soybean farmers. In fact, such things have been said about all five of them. But that is where the money is, that is where the trail went from the beginning.

I can remember in the Agriculture Committee, the chairman was trying to patiently conduct the markup dealing with areas in which both he and I believed we were on the threshold of doing some very important things. Some of this, in fact, was accomplished, and still is preserved. The chairman wanted to discuss conservation. He has been discussing that for some time. I share his enthusiasm. He wanted to discuss energy and young farmer loans and community development. Before long, there got to be a rumbling around the committee table and people said: When do we get to the money? Where is the money?

Well, they were not talking about money for conservation, although the chairman pointed out some might come to farmers who did the right thing on their land; and, likewise, there might be real help for most of rural America who will not be involved in farm payments. A majority of our members, were intent upon targeting the money on commodity payments and subsidies.

Then the question was, How much does that cost? And, therefore, as some suggested, we were spending too much money and time on conservation, on nutrition for the poor, on problems of young farmers.

The House of Representatives did not have those problems. They fairly rapidly put the money in commodity supports, and filled in as afterthoughts, in my judgment, funding for other issues such as conservation, etc. I congratulate specifically Congressman DOOLEY, a Democrat on the conference committee, who held firm to a research initiative that I think is vital and that the chairman of our committee, Senator HARKIN, agrees is important.

There were a few valiant spirits. On a bipartisan basis, however, clearly those thinking about the other aspects of the farm bill were in a distinct minority. This bill was guided by how do we fill in the commodities and not do so in a way in which we keep exceeding the $73.5 billion which I kept pointing out simply was not there. The refutation to that was by the distinguished chairman of the Budget Committee, one of the conferees, Senator CONRAD, who said, ''It was there; it was in the budget a year ago.'' I said all the assumptions are gone, life has changed—war, recession, homeland defense. To which the stalwarts said: ''It is still there, every penny of it.''

How they dismiss the new estimate, this $9.5 billion overage, I do not know. I simply say they will have to keep explaining this as the cost of their bill increases year after year, as lower prices, inevitable given these new loan rates target prices, just arithmetically cause it to expand.

Therefore, I come back to the initial thought I had of the Senate as stewards of our security, of our moneys, of the rights and privileges of all Americans, not specific ones that we happen to be discussing on one day or another.

It is a coincidence that on this very day the distinguished chairman of the Permanent Subcommittee on Investigations, Senator LEVIN of Michigan, is conducting a hearing in which a number of the witnesses are directors of Enron. Enron came up during all of this and so did a whole spate of articles that continue on corporate governance. Business Week has a headline across the front of it: Is Wall Street corrupt?

The question is raised: Are our boards of directors of our major firms

to be trusted, quite apart from the chief executives, who supposedly the boards supervise or oversee, quite apart from all the practices of the firms, whether it be accounting practices, which are dubious, the information that goes out to ordinary investors in the country about which many now have severe doubts? We have been having a shakeup in this country of thoughtfulness, of about telling the truth, about what is involved in governance.

We have that responsibility here. Senators can take the position that because this new farm bill is so complex, there is no conceivable way I can understand it; therefore, I will rely upon the Agriculture Committee, or at least a few people in the Senate who generally seem to have good judgment on these issues, sort of wise men. Many Senators take that position with regard to other types of legislation from time to time.

That is not going to be good enough for those who are testifying before Senator LEVIN on Enron. The questioners will say: Why didn't you know about strange practices in which assets left the balance sheet, in which strange loans were made, options were issued, and extraordinary payments?

The front page of the papers today suggest Enron, in fact, may have manipulated the power situation in California, the allegation of persons for some time. Maybe so, maybe not.

This is serious business. I am simply charging that each one of us who is going to vote on this conference report needs to at least take responsibility. We go into this with eyes wide open. Many people have pointed out, and I have given a number of speeches at every stage along the way, that the money was not there. It was not there for a long time, even though a fiction exists that $73.5 billion over 10 years was there at one time. Nor is it $82.8 billion over 10 years, $9.5 billion more. It simply was never there.

Second, even if we knew it was not there, we could still have said: This has the same urgency as the war, as homeland defense, as prescription drugs for the elderly. It is so urgent and the ability we have to transform 2 million farmers and farm families and the infrastructure that supports them in America, is that imperative, if we are going to do it anyway with eyes wide open?

In fact, it has been clear that the bulk of the money goes to a very few farmers—a very few. That has been clear throughout. This is not a great humanitarian effort. Granted, the Senate finally got $6.4 billion in the nutrition section. We started out in the Senate, in fact, with well over $10 billion.

This is a bill that is targeted for farms in America that are large. I hope we all understand that because it is not obscure. One of the things that occurred during this debate was that a group called the Environmental Working Group—and universally despised by many people in the agricultural community—got through the Freedom of Information Act information about the subsidies paid to farmers all over the country during the years 1996 to 2000; they published this on a Web site—ewg.org. You can find out what your neighbor received. I found out in Marion County, IN, that our farm got the 22nd largest amount of payments. There are not many farms in Marion County because it is a farm inside the city. The fact is, we now know exactly who got what. This is not obscure.

The Senate responded by saying ''no farmer ought to get more than $275,000 in any 1 year—not in 10 years, but in 1 year.'' We passed that, but it went the way of all good things in this conference report.

I pointed out during the debate on the floor, that in my State of Indiana, only six farmers could possibly have exceeded the $275,000 out of 50,000 who are receiving payments. Yet the debate on payment limits reached such a volatile situation that people claimed the South would be abnormally hit, that a good number of apparently medium-size or even large farms would be decimated in the process, this even at the time that the target price for cotton was being raised 72 cents plus with a market price of 33.

I hope as Senators we go into this with eyes wide open. We clearly must understand our responsibility. Whether we understand all the complexities of the program, we know where the money went. We know in this bill where the money will go. We even know it is money we do not have, and if we thought we had it, it has to have a priority with regard to Medicare, Social Security, homeland defense, defense of our country, and some other areas that are very vital in a year in which we have a recession and declining tax revenues.

Therefore, Madam President, I respond to my distinguished colleague who says: What if this conference report fails? My own judgment is it should. I will vote against it. I would advocate every Senator who sees his or her responsibility, vote against it.

We have a farm bill on the books now—sometimes it is dismissed—based on a $100 billion baseline. The distinguished Senators have pointed out we could have a debate, if Senators desire, for supplemental payments that we have had for a while at much less expense than what we are about to enact, with all the rigid formulas that deliberately stomp down prices and will stomp them down for the duration of the entire bill.

I hope we understand that. It is a basic principle of supply and demand. This farm bill provides huge incentives to produce more. Regarding exports, we can see the outrage of our exporting partners. Some Senators have given the impression that: ''We could not care less about them.'' This conference report is a recipe for a great deal of hurt and sadness in the wake of the huge transfer payment from the majority of Americans to a very few producers.

Finally, in committee deliberations—whether Chairman HARKIN was presiding or whether I did in the previous 6½ years—we had some very important discussions about agricultural income and the future of agriculture in this country. That means a great deal to me, to the chairman, and to the members of our committee. Not a single member around the table is not committed to trying to think through how we make the process better. Agriculture is a tough business. I have stated on this floor, that in the last 45 years of my stewardship of Lugar farms, we have had about a 4-percent return on invested capital. Many farmers have said: That sounds too high. In almost any other business meeting, people ask: Why have you stayed at it for 45 years? You could have gotten 6 percent on government bonds or 30 year treasuries without the problems of weather, risk of exports, and so forth.

We stay at it because we believe in farming, we believe in the soil, we believe in the life, in the tradition of our families. But we are going to have to improve our ability to make money. That comes down to research, development of good practices, proper conservation, a number of fundamental issues that are tough properly address, but are essential.

Unhappily, in this farm bill our farm associations and commodity groups have chosen an easy way out. They have said: Let's not worry about the market—which is always spiraling down. Just pay an arbitrarily high price for cotton, rice, corn, wheat, or soybeans. The American people will fill in the gap.

As I have illustrated, the gap will not be filled in that easily without the loss during the course of this bill of tens of thousands of farms, of the folks who will never get into the game, of those who will pay more, and of a distortion upward of land values.

I ask for Senators to give thoughtful consideration to these arguments and to a vote to reject the conference report.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. HARKIN. Madam President, I yield 20 minutes to the Senator from Minnesota.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. WELLSTONE. Madam President, I thank the chair of the committee.

I thank my colleague and very good friend, Senator HARKIN, for his work on this bill. I thank Senator LUGAR for his work, especially in the area dealing with nutrition, and for his thoughtful comments.

I will start out with just a practical Minnesota point of view and then review broader questions.

This coming year, Minnesota farmers will see $1.16 billion in assistance from

this legislation—an increase of approximately $395 million over the 1996 farm bill. Over the next 6 years, my State will see about $5.7 billion from this farm bill. Or about a $2 billion increase above the 1996 farm bill for the State of Minnesota.

Now, if I had my way—and I don't think my colleague would disagree with me—I would love to have higher loan rates and rely less on direct payments so that farmers would have more leverage to get a better price through the marketplace.

However, the 1996 farm bill or the ''Freedom to Fail'' bill was one of the worst things that ever happened to Rural America. I went home the day it was passed, and I said to my wife Sheila: This is the worst thing that has happened in the Senate. This year, without a new farm bill, the Freedom to Farm bill would give us a 20-percent drop in farm income. All that has kept farmers going is all the AMTA payments and the Government subsidy.

If Members are worried about payment limitation, which I am and which my colleague said we will come back to again, this fight is not over. A lot of these direct payments to the largest producers have been the epitome of subsidy in inverse relationship to need.

However I don't make apologies as a Senator from Minnesota for supporting this bill. I would have liked to have had the ban on packer ownership. I tried to pass that amendment in committee. We lost. Then I joined Senators JOHNSON, GRASSLEY, and HARKIN to offer a ban on packer ownership on the Senate floor. We won. Then it was knocked out in conference. Unfortunately the House conferees refused to support it. However, we will come back to it again.

In the Senate, we passed a bipartisan payment limitation amendment. The Senate bill established a reasonable limitation on payments to the very largest farming operation, that would have affected fewer than 100 farms in my State of Minnesota. My colleague from Indiana has spoken to that. It was the right thing to do, and I continue to strongly support those payment limitations. I regret what came out of conference, but again we were blocked by the House conferees. But as Senator HARKIN said, are we going to let a conference committee stop a whole farm bill and continue with ''freedom to fail''? There is too much economic pain in the countryside.

I didn't like what happened with the Environmental Quality Incentives Program. I passed an amendment in the Senate that limited payments to $30,000. The amendment, which Senators HARKIN and LUGAR supported, also said: Do not let the Smithfields of this world own six, seven, eight confined animal feeding operations and get a big subsidy for every one of them. I would preferred that EQIP, an important environmental program, be targeted to our family farmers. There are certainly some missed opportunities. But, on the positive side, my colleague from Iowa already talked about the dairy front. This is hugely important for my State of Minnesota. This is the first really good, positive thing I have seen happen in dairy for over a decade.

In addition, while I will continue to fight for higher loan rates, in the House bill, the Secretary of Agriculture had the discretion to lower loan rates. This administration, the President in his budget proposal, went on record in support of lower loan rates. So at least the loan rates go up for the first time in a couple of decades and the effective safety net or target price is much higher. I am hoping and praying our producers can cash-flow so they will have a future. I think this legislation will give them that opportunity.

Again, for this coming year, to talk about $394 million of addition assistance to Minnesota agriculture, I make no apologies for that as a Senator from Minnesota. Over the next 6 years, an average of $330 million more of it is targeted to Minnesota family farmers so they can continue to farm. You better believe I support that.

An increase of net farm income averaging $4.5 billion a year for the Nation—you better believe I support that. It is a darned sight better than ''freedom to fail.''

When I hear some of my colleagues say actually supporting family farmers is in competition with the Social Security trust fund or making sure we support Medicare, I just have to smile and say: Wait a minute. Where were you when you voted for these Robin-Hood-in-reverse tax cuts which bleed the economy of trillions of dollars? Where were you?

Don't be pitting family farmers in Minnesota against Medicare or against Social Security. We are not going to let you get away with that, not in this debate and not ever.

On the plus side, above and beyond arguments made already, I would like to thank the chairman, Senator HARKIN, and I am proud to be part of this effort as well. I would also like to thank the other Senate conferees—Senators DASCHLE, CONRAD, and LEAHY.

Senator HARKIN's success on this bill is irrefutable. Senator HARKIN from Iowa, with the Conservation Security Program, he led the way. The Conservation Security Program will provide assistance to producers who adopt conservation practices on working lands. I love the Conservation Reserve Program, which we were able to increase with this bill. I love the Wetlands Reserve Program, which we were also able to increase. I love working with Ducks Unlimited, Pheasants Forever, and other great conservation groups. Now, with the Conservation Security Program we will be focusing on land in production with economic incentives for farmers to utilize wise conservation practices. This is win-win-win.

I have loved seeing Senator HARKIN, the environmental community, and the agricultural community working together. This is really a sea change for the better. It is a huge change for the better and the Senator from Iowa deserves all the credit in the world for this.

Above and beyond that we have Country of Origin Labeling, that was an amendment I did in committee. I am proud to pass that amendment. I thank the conferees for keeping it in.

I know these big conglomerates don't like it because it gives our independent producers a leg up, because these big conglomerates are shipping out and shipping in and not relying on our independent producers here in this country. In addition consumers have a right to know what they are eating and where it is from. It is hugely important. Frankly—I can say it now because the conference report is over—I am amazed it is in the conference report, but I thank the Chairman for his help.

Then for the first time ever we have an energy title. People are excited in Greater Minnesota, in rural America, about this energy section, because rural America has part of the answer. We talked about ethanol and biodiesel, but there is another part of this—it's wind, solar, and biomass. In Minnesota it is a no-brainer. We are a cold weather State at the other end of the pipeline. We import barrels of oil. We export $11 billion a year, but we are rich in wind and biomass to electricity; we are rich in saved energy, we are rich in clean technology, small business. This is a marriage ready to be made in heaven. This bill moves us down that path—a clean energy path.

It is respectful of the environment, keeps capital in the community, it is small business intensive, jobs intensive, keeps capital in our States—this is great.

The economic development piece is hugely important. I heard my colleague, the Senator from Iowa, talking about telecommunications, that we don't want to be left out. I am so pleased my Rural Telework Initiative has been included. Again, it is my work and I am bragging about it, but setting up a telework institute is a major victory for rural communities. Information technology companies, have said: Listen, we know the work ethic of people in rural America. We want to make sure, if the Federal Government is willing to provide the grants and willing to get this going—then we have a real opportunity for people to be able, out of their homes, out of a satellite office, to work for companies halfway across the world much less halfway across our own country.

People do not have to leave our rural communities. Our young people do not have to leave. I meet so many young people in Greater Minnesota, in our rural communities. Basically they are following the advice to get ahead, get a good education, which means get out of here. That is the death knell for our communities.

One thing they are asking about is whether or not they could stay in the community. Are they going to be able to? If they farm, are they going to get a decent price, job opportunities, a small business going? Will there be good education and health care and environment?

And on the job opportunities—I love this—the Rural Telework Initiative means people in our rural communities can work for companies halfway across the world. Let's make sure this happens. We don't want rural America left behind with this information technology economy. We can be a part of it. I think there is huge bipartisan support for this.

Of course I am bragging, but I want my State of Minnesota to be the leader. I think we can.

My final point: We are going to be back on this fight on packer ownership. We are going to be back on this fight on payment limitations. I talked to the chairman and he said we are going to do additional investigative work, we are going to do additional public hearings. In addition, one of the things I can't wait to do, and albeit it is easier said than done, I want to write an antitrust bill looking at the food industry.

In summary, this conference report perfect, but I do not want to keep going on with this ''freedom to fail'' bill. I want to see a change. This bill represents that change.

I agree with some of the critiquing from some of my colleagues, but all in all, this is a step forward for agriculture in Minnesota. It is a big step forward for the farm structure in Minnesota. It is a big step forward for the environment. It is a big step forward for a better energy policy. It is a big step forward for economic development. It is a big step forward for people who live in Greater Minnesota and live in our rural communities.

I am willing to come out here and debate and fight for this bill and support this bill. An finally would like to ask for a commitment from Senator HARKIN that we are not done with this battle on the reform battle on payment limitations, and on the ban on packer ownership. Let's go after some of these conglomerates. It's the right thing to do.

I yield the floor.

The PRESIDING OFFICER (Mrs. CLINTON). Who yields time?

Mr. HARKIN. I yield myself the time I consume.

First, I thank my colleague and friend from Minnesota for all of his work on this farm bill and for being such a valuable member of our committee. It was the Senator from Minnesota, Mr. WELLSTONE, who first offered the country of origin labeling in committee and won it in committee and we kept it on the floor. Consumers need to thank Senator WELLSTONE for making sure our they will have the right to know where their meat and fish, fruits and vegetables come from. And for the record, another great champion of country of origin labeling, and he has been for years, is Senator JOHNSON. These two have fought tirelessly to bring this measure into law.

We were able to keep it in there. I think the Senator is right, this is going to be a very important provision for our producers in this country—and for our consumers. So I thank him for that.

I thank the Senator also for all his strong work on conservation and on rural development.

Again, I say without any fear of contradiction that the people in Minnesota—people in rural America, but I say Minnesota because that is the State the Senator represents—and the people who live in small towns and communities all over rural America have no better fighter for their interests and no better friend they can count on consistently than Senator WELLSTONE of Minnesota.

When it comes to the things we have in this bill that invest in rural economic development, rural equity funds, broadband access, taking care of the backlog on sewer and water grants, and providing for value-added grants for small towns and communities—all of these bear the imprint of the Senator from Minnesota, Mr. WELLSTONE.

I thank him so much for that on behalf of all who are interested in the environment and in conservation.

I say to the Senator before he leaves the Chamber that he has this Senator's ironclad commitment. As long as I am privileged to chair this committee, we are not going to give up on the fight to ban packer ownership of livestock prior to 14 days before slaughter. We are going to get to that.

We are also going to continue to fight on better payment limitations in the future.

Again, the farm bill is before us. It represents a very balanced compromise. Again, we need to get this to the President as soon as possible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. ENZI. Madam President, Senator GRASSLEY has been waiting for an hour and a half to speak but knew there wouldn't be time for his comments before the 12:30 recess. So I ask unanimous consent that following the recess he be allowed to be the first speaker.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. ENZI. Thank you, Madam President.

I would like to yield myself such time as I might have for comments.

The PRESIDING OFFICER. The Senator is recognized.

Mr. ENZI. Mr. President, I rise to speak in opposition to the farm bill conference report. The opportunity to write a farm bill comes along rarely in a Senator's career on Capitol Hill. It is an opportunity to survey the road and set the course for agriculture and rural America, in this case, for the next 6 years. And in the next 6 years, we will stick to that course and walk that road. In studying the conference report we have before us today, I fear that we have engineered agriculture's road through the swamp. Once in the mud, it is going to take more than a new farm bill in 6 years to unstick our wheels, pull us out and reverse the damage to America's food and fiber policy.

We have a bill before us that ramps up the subsidies farmers are receiving to extraordinary amounts. Now, there is nothing wrong with helping our farmers and guaranteeing a safe and sufficient food supply. However, we should fairly and equitably assist all of agriculture. The House Agriculture Committee says that this bill will cost $45.1 billion of additional spending in the next 6 years. Of that amount, $31.2 billion is going to commodities. The largest portion is for our traditional crops: wheat, corn, cotton and rice. Now in Wyoming, agriculture means more than just farming. Producers are farmers, but they are also ranchers. And the ranchers in Wyoming don't see much benefit to this bill.

Seventy percent of the new spending is going to commodities. The rest of the money is being split between other things the farm bill funds like nutrition programs, research and conservation, all important things. I am pleased with the increase in Environmental Quality Incentives Program—EQIP—funds. However, even these are cost share funds and not the direct payments that so many farmers will receive.

Ranchers like their independence from government handouts and they usually wouldn't mind being overlooked in the farm bill, but they have a need this year. That need was ignored.

There was a proposition that would have given $7,000 to a rancher to feed the best of his breeders from the herd throughout the drought. Talk about extreme cases, we put them at zero. Yes, my State is entering the third year of a drought. Yes, in response to the disaster in my State and other States, I, along with a majority of this body, added an amendment to the farm bill that would have provided $500 million to livestock producers for feed shortages.

That amendment passed 69–30. Compared to the billions spent on commodities, this was a small package of assistance for an industry known for refusing Federal assistance. In this farm bill, commodities are the focus of 70 percent of the additional funding. The amount that I wanted to devote to livestock producers is a mere 1 percent of the additional spending. One percent! And the assistance was refused in this final conference report.

The conference refused ranchers assistance the same month they are being prevented from moving to their drought-stricken Federal grazing allotments. Since they can't feed their livestock, they must consider selling their

herds in a cattle market that is no longer rational and with tax benefits that have run out. The safety net and benefits of the farm bill are not being shared with the ranchers.

The producers in my State do have a reason to be thankful. Country of origin labeling is a part of the bill. This is a victory that I have been working toward since I entered this body. It is my fervent hope that the forces that rose unsuccessfully to defeat this program in the farm bill do not undermine the provision in the rulemaking process during the initial, 2-year voluntary period.

Also, the conference report does not contain the language that would have appropriated my State's water rights. We fought against this harmful provision that in my State would have allowed the Federal Government to usurp State water rights through implementation of the Endangered Species Act and done it at bargain basement prices.

For ranchers, this bill should be labeled, ''Do no harm, do no good'' because another provision vital to ranchers in my State was pulled from the final report. The ban on packer ownership of livestock more than 14 days before slaughter was removed. This tells my producers that the U.S. Senate is unconcerned about the impacts of market manipulation on their family ranches. Not only are we unwilling to provide them financial assistance when they need it in the third year of the worst drought, we won't give them the opportunity to extract their own livelihood from an open and fair market. They are trapped on every side. We had an opportunity to assist all of agriculture with this farm bill, but we did not take it.

I have been discussing the repercussions of this bill on my State. There also are repercussions to our national budget. I previously said that this bill is being quoted as costing $45.1 billion in additional spending in the next 6 years. Based on the April 2001 budget resolution baseline, the Congressional Budget Office estimates that this bill would increase direct spending by $73.5 billion in budget authority through 2011. This spending under the fanciest of accounting definitely affects the budget parameters.

However, this is 2002 and crop prices are lower this year. A CBO estimate using an April 2002 baseline would add several billion dollars over $73.5 billion in the next 10 years, but the latest numbers are not being taken seriously. When my staff contacted the Senate Agriculture Committee to ask about the April 2002 CBO cost estimate, they were told that it did not matter. In fact, the committee staff said an estimate based on the April 2002 baseline was an ''academic exercise.'' This is real money. This is not an academic exercise. We cannot use accounting to ignore the exorbitant cost of this legislation.

For example, I have been discussing the farm bill's additional spending. It hasn't been heard often, but this additional spending is being added to a huge base of current spending on agriculture. When we add the $73.5 billion of additional spending, this bill will cost us over $180 billion throughout the next 10 years. Now that is a number that is flung around these halls flippantly, but $180 billion in Wyoming is a big deal. I think it is probably a big deal all over the country. It is a big deal to our trading partners, too.

Madam President, $45.1 billion, $73.5 billion, $180 billion, that is more than a rounding error, that is a gross misstatement of the facts. Everyone is entitled to their own opinion, but they are not entitled to their own facts.

There are repercussions to this bill that move beyond our borders to other countries and our trading partners. We have a WTO responsibility to our trading partners to keep our agricultural subsidies below $19.1 billion. Did any of those numbers I used before sound anywhere near $19.1 billion? I don't think so. In the past years, we have stayed far below that level, but this bill threatens to send us over the top. It will be very difficult to convince our trading partners to lower their own subsidy levels—and they are starting to talk about that—and increase our access into their markets if we so boldly ramp up our own subsidy levels. They are watching.

The Australian Agriculture Minister, Warren Truss, said our farm bill ''sends an appalling signal to agricultural trade negotiators seeking a freer and fairer international trading regime.''

Canada's Agriculture Minister, Lyle Vanclief, said: ''The farm bill is a serious blow to the US's credibility in the current round of World Trade Organization negotiations.''

Do not fool yourself, they are watching us this moment to see if we are really interested in fair trade. What signals are we going to send them?

I know what signal we will send if we accept this conference report. We are signaling that the United States really isn't interested in increasing our agricultural exports to other countries. Realizing this, I look down the road we have surveyed for agriculture. We are significantly expanding our commodity subsidies, the great incentive for overproduction. We already know we cannot possibly consume what is produced in this country. With this subsidy increase, we are systematically closing the doors on increased exports. With no outlet for their production, we are condemning our farmers to a downward spiral of prices. And countercyclical payments will not stop that spiral. In fact, they intensify the spiral.

So we have a conference report before us that will eventually harm the farmers it is trying to help and that ignores the plight of the other half of agriculture, the livestock producers. And it does it with phony and illusive numbers that will appall everyone else.

For these reasons, I am voting against this conference report. I urge my fellow Senators to seriously consider whether this is the road they will condemn their farmers and ranchers to for the next 6 years. I urge my colleagues to vote against this bill.

Madam President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from California.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that I be recognized to speak as in morning business.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

(The remarks of Mrs. FEINSTEIN are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER (Mr. HARKIN). The Senator from Vermont.

Mr. LEAHY. Mr. President, I ask unanimous consent to proceed beyond the hour of 12:30.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I compliment the distinguished chairman of the Senate Agriculture Committee for the farm bill before us.

As one of seven Senate conferees on the farm bill, I want to make a few initial remarks today about this major effort.

First, I urge my colleagues to vote for this conference report. This farm bill helps farmers by providing a safety net; it helps consumers by keeping our food costs low; it expands our nutritional safety net to those most in need; it will mean cleaner waterways, better soils, protected open space, and the preservation of family farms; it will make our drinking water safer, improve the environment, and will give rural America a strong economic boost.

I thank Chairman HARKIN who worked day and night on this effort.

As I know from being chairman of the committee during the 1990 farm bill, it is no easy task to balance the needs of various regions, various commodities and various other priorities within a fixed budget.

Make no mistake—this bill is great for all regions, it represents a well-balanced effort.

I enjoyed working with the chairman of the conference, LARRY COMBEST. He was fair and patient, and strove to listen to all sides of an issue and to offer helpful ideas as we sought to craft the final product.

His chief of staff, Bill O'Connor, has worked on many agriculture issues with me. He is one of the finest examples a truly professional hill staffer—smart and tough, and able to get the job done for his chairman. Also, Lance Kotschwar, the chief counsel for Chairman COMBEST, deserves a great deal of credit.

Ranking member CHARLIE STENHOLM, also an expert on farm bill details, was very helpful in trying to work through some of the complex issues. He is well served by his senior agriculture staff, including Vernie Hubert.

I will have more kind words to say about the other body, but I want to

make a couple points regarding the Senate. I will have more to say at another time about Ed Barron and his team from my office. Many parts of this bill would not be here without them.

The Democratic conferees in the Senate consisted of three chairmen of major committees, and the majority leader. That is quite a batting lineup. We had the majority leader and the chairmen of the Agriculture, Budget, and Judiciary Committees.

Leader DASCHLE, and his superb staff Bart Chilton, Jonathon Lehman and Bev Paul—did a tremendous job trying to balance everyone's interests.

Chairman CONRAD helped get us the budget to complete a farm bill—and provided the conferees with valuable insights, as did his able staff aide, Tim Galvin.

I will make more extensive remarks later in this debate but I want to focus on a few highlights today.

This farm bill provides—for the first time—strong provisions for all regions of America.

The farm bill provides regional equity—all of America will share in its benefits.

For example, for the first time, ever, we have a farm bill which provides national counter-cyclical support for dairy farmers. I have voted many times for programs which have helped cotton, rice, wheat or soybean farmers.

This farm bill continues to help them—but also creates a national safety net for all family-size dairy farmers—whether they live in Wisconsin, Minnesota, Mississippi, Louisiana, West Virginia, or Vermont.

I am pleased that we were able to forge bipartisan coalitions in the Senate and the House, from many states, and from all regions, in working out this national effort.

Dairy farm families work very hard they get up at 5 in the morning whether it is freezing cold, whether it is a Sunday or a Tuesday, whether they are feeling fine or lousy that day, whether it is a holiday or not.

They need a safety net or America may lose its fresh, local supplies of milk.

America can not afford to take the risks involved in concentrating dairy production in just a couple areas of the country.

Snowstorms, floods, earthquakes, or other emergencies could disrupt transportation or production facilities.

This farm bill is not just about farmers. It is about assisting rural towns and communities, and families in need.

The Food Research and Action Center notes that:

> Given the scope of the hunger and food insecurity problem facing our nation's people, we believe that passage of the Farm Bill Conference Report with its investments in the nutrition safety net must be a very high priority for the . . . Senate.

They are right. This farm bill provides $6.4 billion to help the neediest families. Most Americans do not realize that the food stamp program is America's largest child nutrition program with the great bulk of assistance going to families with children.

In her letter of endorsement, Marian Wright Edelman points out that:

> We also strongly support the improvements for working families in the Food Stamp program. Adjusting the standard deduction for cost-of-living increases and family size will help the value of food stamps keep pace with inflation. Many provisions in the nutrition title will make it easier for working families to apply for or renew benefits, and will streamline requirements on states so they will find it easier to serve working families.

Bob Greenstein, with the Center on Budget and Policy Priorities notes that: ''Many of the title's provisions are targeted toward low-income families with children, particularly the working poor.''

This farm bill includes President Bush's strong proposal to assist legal immigrants who—throughout history—have come to America in search of a better life, and have made America a stronger nation.

The bill also improves America's first line of defense against hunger—the Emergency Food Assistance Program.

Also, the farm bill saves two great farmers' market programs from the chopping block.

The WIC Farmers' Market Nutrition Program, and the much newer farmers' market program for seniors, has provided tremendous incentives for local communities to create local farmers' markets. Anyone shopping at these hundreds of new farmers' markets knows that these programs are great for local farmers, families on WIC, our seniors, and the local communities.

On a international theme—I am very pleased that the farm bill includes $100 million in guaranteed funding for the McGovern-Dole Global Food for Education Initiative which I authored with Senator HARKIN and others in the Senate.

This initiative taps America's agricultural bounty to become a catalyst for lasting change in many struggling nations.

Former Senators McGovern and Dole supported this vision and pointed out that this initiative would ''help our farmers while putting food in the stomachs of desperately hungry and malnourished children.''

It has been pilot-tested, and enrollment by children, especially girls, has dramatically increased in the poorest areas of the world.

Clearly, the events of September 11, make this initiative even more important.

The final bill also contains an unprecedented $1 billion in mandatory funds to assist rural areas in improving the rural infrastructure, attracting jobs, and improving high-speed internet access to businesses and homes.

Our farmers and small businesses will get a boost from $240 million included for value-added market development grants.

Modeled after the successful pilot program currently run by USDA, this program will provide grants up to $500,000 to help develop, promote, and market, value-added goods—to help build their wealth and expand their enterprise.

The bill reauthorizes important water programs that are critical to the infrastructure of rural America—over $360 million will be available nationally to reduce the backlog of loan and grant applications for construction or expansion of water and wastewater systems.

Even our firefighters and emergency personnel will receive much needed assistance to help provide for critical training in rural areas. These men and women work tirelessly, often on a volunteer basis, to protect our families and our homes. I am pleased that $50 million has been included to give these forces a boost.

Also within the package of conservation programs lies an historic increase in the Farmland Protection Program—which was first pilot-tested in Vermont under a provision which I wrote for the 1990 Farm Bill.

Previously funded at only $35 million, and hugely oversubscribed by interested farmers, the Farmland Protection Program will now be funded at almost $1 billion over the next 10 years.

Since 1996, the FPP program in Vermont has protected more than 80,000 acres of the State's most precious farmland. It can preserve farmland in many other states under this new farm bill.

I am very pleased that this bill sets forth several new initiatives for organic agriculture.

This coming October, the National Organic Standards Program will be fully implemented and will create tremendous possibilities for organic producers by enhancing national and international market opportunities for organic products.

This farm bill makes strides toward providing the information and resources needed to continue to grow this industry. For the first time, dedicated funding is provided for the organic research and extension initiative, which is also expanded in this bill.

In addition, in this farm bill we provided for new organic production and market data initiatives and we establish an organic certification cost-share program.

As more and more farms transition to organic production methods, there is a substantial environmental benefit. In many cases organic farming also provides sustainability to the profession of farming, and offers rewards to small farms in particular. In Vermont, the growth of the organic industry means that more farmers will be able to make a decent living doing what they love.

The New York, Washington State and Vermont delegations, among others, worked to add $94 million to the bill for direct aid for apple growers who have suffered crop losses in recent years. National apple growers, including several

orchards in Vermont, have sustained losses totaling $1.5 billion over the past five years, including an estimated $500 million during the past year.

The farm bill also invests $1.3 billion in research to help keep America's farmers competitive in world markets.

I urge my colleagues to join with me in supporting this farm bill.

The PRESIDING OFFICER. The Chair, speaking only as the Senator from Iowa, thanks the distinguished Senator from Vermont for all his great support and work on this farm bill. It is unprecedented.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until the hour of 2:15 p.m.

Thereupon, The Senate, at 12:44 p.m., recessed until 2:16 p.m. and reassembled when called to order by the Presiding Officer (Mr. DAYTON).

The PRESIDING OFFICER. The Senator from Indiana.

FARM SECURITY AND RURAL INVESTMENT ACT OF 2002—CONFERENCE REPORT—Continued

Mr. LUGAR. Mr. President, in a moment, I will ask that the Chair grant 35 minutes to the distinguished Senator from Iowa. Before that, I ask unanimous consent that the next Republican speaker after Senator GRASSLEY be Senator DOMENICI.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Reserving the right to object, Mr. President, the manager of the bill can request whoever he wants, but I note that Senator AKAKA wants to be put in the mix. I know Senator HARKIN spoke for quite some time. I do not know if we want to try to balance out the time. Senator AKAKA also wishes to speak.

Mr. CONRAD. Will the Senator yield?

Mr. REID. Senator AKAKA only wants 5 minutes. After Senator GRASSLEY finishes, would the Senator from Indiana have any problem with Senator AKAKA speaking for 5 or 10 minutes?

Mr. LUGAR. Fine.

Mr. CONRAD. Will the Senator yield?

Mr. REID. Yes.

Mr. CONRAD. Might I get in the chain as well? I know after Senator GRASSLEY——

Mr. REID. He is going to speak for about half an hour.

Mr. CONRAD. It will be Senator AKAKA on our side, and Senator DOMENICI will be next?

Mr. REID. How long will Senator DOMENICI speak?

Mr. DOMENICI. Twenty minutes.

Mr. REID. Can we set it up so Senator CONRAD follows Senator DOMENICI, whenever that might be?

Mr. LUGAR. Mr. President, I amend my request so that Senator GRASSLEY will speak, then Senator AKAKA will be recognized, then Senator DOMENICI will be recognized, and then Senator CONRAD will be recognized.

Mr. REID. I note to my friend from Indiana that Senator AKAKA will not spend his time on the bill, but it will be counted against our time.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Iowa is recognized.

Mr. GRASSLEY. Mr. President, today is a very bad day for the family farmer. I am extremely disappointed by the effort that was made by the Senate conferees to maintain the provisions that were added to the Senate version of the farm bill on the floor.

A number of folks have been saying this is a good bill, and I would say those folks are part right, it's a good bill if you are a cotton and rice producer. The problem is we don't grow those commodities in my state of Iowa. I plan to vote with the family farmers from Iowa.

I'll sum it up in four words to explain why this is a bad bill for Iowa and why I'm so adamantly opposed to this conference report: competition, competition, competition, competition.

My first reference to competition pertains to competition for grain farmers. The conferees threw out my amendment on reasonable payment limits. In fact I think what they did will cause more harm than good because the Senate Democrats are calling it legitimate reform. If this is their version of ''legitimate reform'' they're not talking to and representing the same farmers I'm listening to and representing.

The American people recognize the importance of the family farmer to our nation, and the need to provide an adequate safety net for family farmers. In recent years, however, assistance to farmers has come under increasing scrutiny. Critics of farm payments have argued that the largest corporate farms reap most of the benefits of these payments. The reality is, 60 percent of the payments have gone to only 10 percent of our Nation's farmers.

What is more, the payments that have been designed to benefit small and medium-sized family farmers have contributed to their own demise. Unlimited farm payments have placed upward pressure on land prices and cash rents and have contributed to overproduction and lower commodity prices, driving many family farmers off the farm.

What is really disturbing though it the fact that the conference report failed to address this issue and even worse, the authors are acting like they did.

This conference report fails to address the use of generic commodity certificates which allow farmers to circumvent payment limitations. The supposed ''reform'' in this bill is worthless due to the lack of generic certificate reform. In recent years, we have heard news reports about large corporate farms receiving millions of dollars in payments through the use of generic certificates. Generic certificates do not benefit family farmers but allow the largest farmers to receive unlimited payments. This bill will not even make the big corporate farmer blink.

The Senate agreed, by an overwhelming vote of 66 to 31, to a bipartisan amendment sponsored by Senator DORGAN and me to target federal assistance to small and medium-sized family farmers. The amendment would have limited direct and counter cyclical payments to $75,000. It would have limited gains from marketing loans and LDPs to $150,000, and generic certificates would have been included in this limit. No subterfuge. The amendment would also establish a combined payment limitation of $275,000 for a husband and wife.

This amendment was critical to family farmers in Iowa. I feel strongly the conference report failed Iowa when it failed to effectively address the issue of payment limitations. This will do nothing to help restore public respectability for federal farm assistance by targeting this assistance to those who need it the most.

The second reference to competition refers to the independent livestock producer being almost completely ignored in this bill. Iowa's independent livestock producers had clearly made the elimination of packer ownership their number one priority. The conferees threw it out.

The president of the Iowa Pork Producers had stated: ''It [the packer ban] was our number one issue for the Farm Bill and we are extremely disappointed it didn't survive.''

The Iowa Cattlemen released a statement which read:

> The Iowa Cattlemen's Association Executive Board . . . expressed their frustration with a missed opportunity for new legislation regarding a ban on packer ownership in the final version of the Farm Bill. . . . We believe the Farm Bill Conference committee has overlooked and ignored the family farmer and small livestock producer in failing to adopt appropriate packer limitations.

It's clear that is what Iowa's livestock producers wanted and this farm bill doesn't deliver. It's that simple!

Also, in regard to livestock producers, the bipartisan amendment I offered with Senator FEINGOLD which would have eliminated the ability of packers to force livestock producers, into mandatory arbitration was dropped in conference.

We finally had the chance to give farmers an opportunity to choose the best dispute settlement mechanism available for their individual situation. But instead of fixing the problem—and let me remind everyone that this passed by an overwhelming vote on the Senate floor—we've locked independent livestock producers into binding arbitration instead of mediation or civil action which could have given family farmers a fighting chance to succeed in a dispute with a packer.

Who wants a pat on the back from the packers for dropping these items from the conference report? I am sure the packers are really proud of you, whoever you are. Don't worry about

the independent livestock producers, they won't be around much longer anyway.

My third reference to competition pertains to competition for funds. Specifically, when the next round of payments will be made.

Sticking with current law and passing a supplemental would provide a net benefit to Iowa farmers of approximately $662 million in the first six months if the supplemental was only equal to the levels of support offered within the last supplemental package, according to the Center for Agricultural and Rural Development at Iowa State University. If a farmer has the ability to pay down his debt earlier in a loan cycle than later in that same cycle that money goes much further for the individual producer, everyone knows this. Instead, under the bill as currently constructed, Iowa producers will be waiting till sometime between December and March for the first round of sizable payments. It won't be this fall as it has been for the last three years.

I have read in the press that some Members of this body are trying to claim that this is beneficial to farmers in short term. I guess the question is what's ''short term'' to those folks, but the better question is, what's short term to Iowa's family farmers?

In the next 6 months. I think it would be fair to say that Iowa farmers are concerned how they will be treated under this program for the next six months. The benefits to Iowa farmers from implementation of the new farm bill in the current fiscal year would include increased LDP rates for corn because of the increased corn loan rate. Nationally, corn farmers received less than 14 percent of a crop year's LDP payment in the same fiscal year since 1997. For Iowa, the amount is clearly less than one percent. This means that Iowa farmers would gain essentially nothing from the higher loan rates in the current fiscal year.

Iowa farmers would find that their soybean LDP rates would decrease under the new farm bill because of lower soybean loan rate. But for soybeans, less than 5 percent of LDPs were collected in the fiscal year as the crop year. Thus, Iowa farmers would not lose much at all from implementation of the lower rates in the current fiscal year.

So where is the benefit to this approach? Is there a payment hidden in the conference report I have not seen yet? I guess that those in favor of this bill could say that there is a fixed payment available to family farmers that will hopefully be made available in October, but then you have to remember to reduce that payment by the amount a family farmer has already received this year. In Iowa, that means your net benefit for the fixed payment is 1.9 cents per bushel of corn.

How can anyone defend 1.9 cents as a substantive fixed payment? How does that compare with the Robert's supplemental? Well, he had 33.4 cents per bushel available for corngrowers in Iowa, and there was no slight of hand to force you to reduce it, or pressure to manipulate your reportable base, to improve your payment. Does anyone actually think 1.9 cents is better for family farmers than 33.4 cents per bushel?

My fourth reference to competition is trade, specifically trade compliance. I offered an amendment during the Senate floor debate that would have reinforced the importance of ensuring that the farm bill which passes the Senate complied with our Uruguay Round trade commitments, and the conferees stripped it out.

As I have said before, our family farmers depend on foreign markets, exporting about one-quarter to one-third of the farm products they produce. For the past 25 years, the U.S. has exported far more agricultural goods than it has imported.

The Uruguay Round negotiations improved conditions of market access for American farmers. For the first time, the agreement reached during the Uruguay Round capped the level of trade-distorting support that WTO members can provide to producers. Worldwide, agricultural tariffs were reduced by an average of 36 percent over a 6-year period. The United States agreed to reduce its own amber box spending to $19.1 billion per year.

Because agricultural domestic support commitments are now ''bound'' under WTO rules, the United States and its trading partners can be subjected to harmful trade retaliation if they exceed their WTO limitations.

If a WTO complaint were brought against the United States for exceeding its domestic support commitments, it is possible that many countries could become complainants in the cases and allege injury.

If the U.S. were found in violation of our trade obligations, we would be expected to change our current farm program, 'midstream'. If we were not able to, the complaining countries would receive authorization to retaliate by raising duties on U.S. goods.

Our agricultural goods would likely be the first target of retaliation as the products chosen for retaliation are often the most successful exports.

Retaliation by our trading partners would cut our exports, forcing surplus commodities onto the domestic market. An increased domestic surplus would place downward pressure on domestic prices, increasing the need for additional assistance. At the same time, we would not be allowed to provide our family farmers any support. The result is that the conference report would fail family farmers when their need is the greatest.

That is why I offered my amendment to provide reassurance that we would not have to cut the legs out from under our nation's family farmers if the funding provided by this legislation exceeds our Uruguay Round commitments. In the event that a provision of this farm bill would have threatened to break our amber box caps, as determined by the Secretary of Agriculture, my amendment would have sunset the offending provisions after 18 months.

In order to continue funding at a level that is consistent with our Uruguay Round commitments, Congress would have been required to pass a readjustment resolution until the offending provision could be rewritten by Congress. Unlike the conference report, which gives the Secretary of Agriculture sweeping authority to reduce or suspend payments, this amendment would ensure that farmers can count on the assistance they need until Congress agrees that we will potentially violate our trade commitments.

In addition, USDA would have determined what program played a significant role in potentially violating our trade agreements and within 18 months that program would have been suspended, hopefully to be reformed in a trade compliant fashion.

But now, we wrote a new farm bill that will undercut our negotiators before the negotiations even get off the ground.

That is because this farm bill we are discussing today, has, according to its own supporters, a 19 percent chance of violating our Uruguay Round Amber Box commitments. We have never violated those commitments. And we have certainly never publicly announced an intention to violate those commitments. To violate those commitments now, or to threaten to do so, is a tremendous shift in long-standing United States agricultural trade policy.

Some of my colleagues might claim that this bill has improved from a 1 in 3 chance to a 1 in 5 chance of sabotaging our rural economy, and they might even be proud of the improvement. But even these dismal percentages get worse when we learn the details.

FAPRI—The Food and Agriculture Policy Research Institute—used their existing 2001 baseline to determine this percentage. By FAPRI's own admission, the 2001 baseline does not take into account the full impact we are seeing in the market of many commodity prices trending downward. FAPRI qualified their analysis by explaining:

Over the next few weeks, FAPRI intends to conduct an updated analysis of the bill that will incorporate more current market information. The new analysis will result in different estimates of prices, production, Government costs, farm income, and other indicators. Without prejudging results of the forthcoming analysis, please note that market prices for several commodities are currently lower than FAPRI had projected in its 2001 baseline.

So get ready folks, when the 2002 baseline is completed and the analysis is run later this month we could very

likely see a huge swing in the wrong direction. The percentage of non-compliance could very possibly be upward of 35–40 percent. We will not have solid figures until the next baseline is completed though because of the enormous impact the LDPs will have on 2002 projections.

We seem to be rushing to milk the Federal cow before anyone checks the breed, or much less the gender of the cattle. This is not how you establish prudent, or even satisfactory policy, but it doesn't seem like many Senators care about that right now.

We have achieved a great deal at the negotiating table in the past 50 years because we have credibility. Our trading partners respect the fact that we stick to our guns and do what we say we are going to do. In turn, we expect them to do the same.

But passing a non-trade compliant farm bill seriously damages our credibility.

And it does so right at the time when we are poised to launch new, comprehensive global trade talks largely built around our own agricultural negotiating objectives.

I cannot think of a more effective way to undermine everything we have worked for, and everything we hope to accomplish at the negotiating table during the next 3 years, than to pass a farm bill that we know might break our WTO obligations.

The advocates of this approach might say, well, it is only a one-in-five chance that we will not be trade-compliant under this farm bill.

But would we accept that argument in discussing, say, education policy, and go forward with an education program that had a one-in-five chance of failure? Or a defense program?

I do not think we would. And it does not make any more sense to go forward on that basis here, especially if those odds might actually be much worse than we realize.

Competition is and for a very long time will be the number one issue for family farmers. We should all think back to Secretary Veneman's confirmation hearing. During the question and answer period before the Senate Agriculture Committee she said something that a few of my colleagues have seemingly already forgotten. She said that the one topic she had heard the most about while visiting Senators and House members was the issue of competition. It was the most mentioned issue and the issue that we generating the most concern in rural America.

What did we leave out of this conference report? Competition, competition, competition, competition. The glaring lack of strong provisions regarding competition is why The Organization for Competitive Markets, and the Center for Rural Affairs oppose this legislation. These groups supported the legislation when family-farmer-friendly provisions were added on the Senate floor, but they are now opposed because they support family farmers and independent livestock producers and this bill does not do that.

As I look at the conference report before us I have to admit I have lost a little bit of faith in the process. We put a good bill together on the Senate floor. It came out of committee with ridiculously high payment limits, nothing on livestock competition, a complete disregard for trade compliance, deficiencies in the nutrition title, etc.

But on the floor of the Senate we all worked together to make it a bill that was acceptable, and I would say that bill was very good for Iowa's family farmers because it had in it the issues Iowans wanted us to address, specifically payment limits and packer ownership. This bill does not do what Iowans wanted it to do, plain and simple. It skipped Iowa's top priorities.

In addition, let's not forget about the administrative nightmare that this conference report will create. Everyone should be well aware of how difficult implementation will be for USDA. Don't blame the Bush administration if payments don't get out time. I hope that the Senators that are more interested in immediate implementation, than passing a supplemental are not going to be disingenuous in the future and attack the administration because implementation takes awhile to accomplish.

Let there be no question that if there is fault to assign regarding implementation it lies with the authors of the bill, not the bureaucrats required to decipher the intent of the authors. This will not be an easy task.

So I hope that Senator DASCHLE's comments yesterday in the Daily Monitor ring true. He was quoted as saying, ''you're not going to see these disastrous supplemental requests in the future.'' But then I wonder what ''future'' means because the next sentence reads, ''We'd still like to get one for 2001, but in the future you're not going to see them.''

The thing I just cannot understand is why, if you just had the money and the willingness of Republicans to write a supplemental that would be beneficial to family farmers, why did you forsake the opportunity to put money in farmers hands right now, and trade that benefit for immediate implementation? It's a risk that family farmers should not have to take.

To conclude, I would agree with those that claim this is a historic farm bill, but in my opinion it might be historic for all the wrong reasons. We are losing support in the urban sectors for future farm bills by not reforming the existing abuses that have been made abundantly clear by media. Even farmers want us to fix the payment problems by implementing reasonable, legitimate payment limits, but instead the conferees ignored this issue.

This bill will do nothing to restore integrity to the programs, reduce pressure on rents and land prices, dampen overproduction, and help maintain family farms and the culture that surrounds our rural communities, isn't that our goal? Why is this conference report ''good enough'' to some when it does very little for our family farmers?

Has anyone read the New York Times, Washington Post, Wall Street Journal, or the San Francisco Chronicle? These are urban newspapers and they are up in arms over this farm bill. What happens if urban folks decide they cannot hold their noses regarding the subsidy abuse down the road?

But, I guess I am assuming there will be a rural community to serve in 6 years. There is a possibility we will not have a rural community to serve due to the consolidation, concentration, increased land prices, and cash rents.

When I was in the well for the final vote I told my colleague I was going to support the Senate bill and I did. I said if those provisions were maintained, the provisions Iowa's family farmers wanted in this bill, I would support the conference report. But those provisions are not in this conference report, so I will not support it.

This bill does not accomplish Iowa family farmers' highest priorities so I am opposing the conference report. Anyone representing Iowa's interests should. We can do better, we must do better if we want family farmers and independent livestock producers to survive.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

Mr. AKAKA. I thank the Chair.

(The remarks of Mr. AKAKA pertaining to the submission of S. Res. 262 are located in today's RECORD under ''Submission of Concurrent and Senate Resolutions.'')

The PRESIDING OFFICER. Under the previous order, the Senator from New Mexico is recognized.

Mr. DOMENICI. Mr. President, we are now debating the farm bill conference report. I have some serious concerns about the policies embodied in this conference report. I will speak to those concerns shortly, but, first, I want to address another concern. My concern is, where is the budget? Where is the budget that we will use to judge not only whether we can afford this farm bill, but other legislation that might come before the Senate during the remainder of Congress?

Interestingly, the tortuous path that this farm bill has taken to get to a final vote tomorrow began exactly 1 year ago this week when we adopted the fiscal year 2002 budget resolution. That budget resolution was adopted prior to us knowing that we had an economic downturn and obviously, prior to the September 11 attacks on the United States of America.

At the time the budget resolution was adopted, the projections indicated there would be a general budget surplus of $5.6 trillion over the next decade, and that after the tax cuts there would still be a very large surplus. We now know that the economic downturn, increased emergency defense, homeland security spending that followed the September 11 attacks, and

the Job Creation and Worker Assistance Act enacted last winter to assist workers impacted by the economic slowdown, have all combined to lower the general surplus outlook to about $1.7 trillion over a comparable 10-year period.

This farm bill agreement that is before us today seems to be blissfully ignorant of the events over the last year. It embodies commodity policies that return us to business as usual, high subsidies, distorting trade provisions, and increasing Government costs.

Those who do not follow the intricacies of the budget process might say: This makes no sense. Don't we have a budget by which to judge this legislation?

Yes, the one we adopted 1 year ago this week. It is not the budget resolution for the year 2003; it is the budget resolution for 2002, adopted when Republicans were still in control of the Senate by one vote. Yes, that budget provided for increases in agricultural spending and other spending, such as prescription drugs. Specifically, that budget that authorized the chairman of the Budget Committee to allocate $73.5 billion to the Agriculture Committee, so long as it did not come out of the Social Security or Medicare trust fund.

Can anybody stand on the floor and honestly say that the expenditures in this farm bill will not come out of the Social Security trust fund or the Medicare trust fund? I have not been raising this issue, but it is interesting that the current chairman of the Budget Committee, who usually raises this issue while trying to ensure we do not spend the Medicare and Social Security trust fund is not raising it now.

And now we see the bigger, more serious problem. The problem will not be just with this farm bill; it will be with the other spending and tax legislation we consider in the remaining days of this Congress. These measures will be judged against an outdated budget plan, one adopted last year when the Republicans were in control of this body, not one for current allocations and current needs, which has not been adopted on the floor of the Senate as of this date.

The question is asked again, Where is the budget? Where is the budget against which we are going to judge this farm bill and other legislation that I have just iterated that are certainly going to come before the Senate?

Until we agree to a new updated budget that reflects the dramatic changes that have occurred over the last 12 to 18 months, the old budget, the one I was responsible for getting adopted by the Senate and conferenced—that budget remains in effect until replaced by an updated budget. And until that time, any Budget Act points of order, any allocations to authorizing committees, any reserve fund releases, such as prescription drug spending or health insurance for the uninsured, will be judged not by what is reality today but by what we thought it would be before the economic downturn and before the terrorist attacks on the United States just prior to mid-September.

Some may wonder, why have a budget resolution? I do not have to wonder. I only have to see what is happening on the floor of the Senate. Anyone can predict what is going to happen in the next few months—not years, the next few months—in fact, some of which has already happened prior to taking up this conference report on agriculture.

We cannot, and we should not, legislate, in my opinion, without a budget blueprint. Every year, since the Budget Act became law in 1974, the Senate has adopted a budget resolution, as required, and in some years more than one. In some years we missed the deadline, but we always adopted a budget resolution in the Senate.

Only once in the nearly 28-year history of the act has the House of Representatives and the Senate failed to conference their budget resolutions. In 1998, the year following the balanced budget agreement of 1997, Chairman John Kasich and I were unable to bridge the differences in the two resolutions. Rather amazing—we were both Republicans, and that was the one year we could not bridge the differences. All other years, regardless of the makeup of the two bodies, we did arrive at a conclusion.

Let me repeat, the Senate has passed a budget resolution every year. There was one time when we did not have a conferenced budget blueprint, and we agreed here in the Senate to follow the Senate-passed resolution as our blueprint for spending and taxing. But, we had what would amount to a budget by concurrence of the Senate.

I have been on that Budget Committee for 27 years. I was not a member in the first organizing meeting in 1974, when Senator Muskie was chairman, though there was a Senator Peter Dominick who was Senator Muskie's ranking member that year, and some historians get me confused with him. In those 27 years, my colleagues have honored me by allowing me to serve as committee chairman for 12½ years and as its ranking member for 9.

In all those years, we adopted a Senate budget resolution. It was not easy. Sometimes I thought we would fail, but we stuck with it, and many times on a bipartisan basis we prevailed and the blueprint to guide fiscal policy was achieved. A budget resolution takes care of many things automatically and with precision. Right now there is no precision, there is no decision, and we are flying essentially by the seat of our pants on many issues.

Every year under the leadership of Chairman Muskie, Chairman Chiles, and Chairman Sasser, the Senate has adopted a budget resolution. Today the House of Representatives has passed a budget resolution for next year. Today the President of the United States has submitted a budget to Congress for next year. Today we do not have a budget in the Senate.

Beginning today, we legislate a major spending bill, a farm bill, that is based on a budget I admittedly helped craft last year, but also I freely admit is outdated and needs to be revised. It is time that be done. It is obvious that the Senate thinks it should be done. I truly doubt that we have been as omniscient as one may think. Had we been able to foresee the events of last year when we were crafting that budget, we would not have allocated the level of spending we did to the farm bill; of that I am almost certain. That is why we need a new budget, and that is why this decision we make tomorrow can send a signal to the country and our trading partners throughout the world that we know it is not business as usual. We need to craft a new budget for these new times.

For just a few moments, I will talk about a couple of New Mexico-specific concerns. In addition to my objections to this conference report on budget and trade grounds, I must note that this legislation is especially harmful to one of the most important parts of the agricultural economy of my State of New Mexico—dairy farmers. New Mexico's milk producers are hurt more by this bill's provisions in my State than any other State in the Union. Our producers will lose between $4 and $5 million a year compared to current law. And that is a conservative estimate.

Just today, there is a FAPRI estimate that indicates the losses would be as high as $51.2 million over the life of this program. Regardless, this means that at least $30,000 per dairy farm in New Mexico will be lost because of this bill. New Mexico, which has climbed to the seventh largest milk-producing State in the Union, will see minimum losses over the life of the program of at least $125,000 per farm, and most will likely suffer larger losses.

My dairy farmers want a market-driven system. They can compete on quality and efficiency with any other dairy farming group in this Nation. If we just let them do their job under a free market. These producers will supply plenty of milk and it will be of the highest quality.

My dairy producers are opposed to direct payments. They also oppose the caps in this bill. And they are punished because this legislation contains both—direct payments and caps. And neither is predicated upon large dairy farms but, rather, is predicated upon the small milk farms. Most of our farms are 1,500 head or more and are becoming more efficient every year. They welcome competition from anywhere. They are efficient. They are innovative. They do great things. Yet, they are punished. We come along and say this is not the American way for the farm bill. We are going to punish you because you are efficient, because you produce, because you are highly innovative.

Instead of saying: You are going to get as good a deal as you deserve, as

fine a return as you deserve in the American market, we are going to tell you what you get. In this instance, we are going to take away from you between $4 and $5 million a year, perhaps as much as $125,000 per farm during the time this bill exists.

The dairy industry in my State—and we are a small State in terms of business—has revitalized large parts of the New Mexico economy. Nearly 4,000 New Mexicans earn a living directly from dairy, with payrolls in excess of $90 million a year. New Mexico's dairies and producers spend nearly $400 million annually for labor and feed. For our State, which lags near the bottom of per capita income statistics, this conference report is a direct attack. I cannot support such a conference report. I will not.

I know there are predictions of how bad it would be if this did not pass. I have studied it all. I think I know as much as anyone here about it. It would be a great signal if it did not pass. Then we could produce a budget and decide how much money should be put in for the agricultural community under a budget that is current.

This wrongheaded agricultural policy promoted by this conference report is especially tragic in light of the real progress that was made in this bill in the area of nutrition. Many do not know that this bill called agriculture is also the principal nutrition legislation for our country. The bill retains the Domenici-Durbin amendment to restore food stamp benefits to eligible legal immigrants who have been in our country for 5 years. This policy will help feed an estimated 360,000 people per month.

In addition, the bill simplifies and streamlines the application process for food stamps. It increases funding for the Emergency Food Assistance Program and makes it easier for nonprofit participation in the Commodity Supplemental Food Program to feed the elderly and small children. In total, the legislation provides for $6.4 billion in food stamps and other nutrition programs. This amount falls short of the $8.9 billion provided in the Senate-passed version of the farm bill. At least we are making some progress toward eliminating involuntary hunger in America.

So this Senator finds himself in an unusual position of voting no on this farm bill. The good things in nutrition fail to outweigh the bad agricultural policy positions envisioned by this bill. I will remind my colleagues that we have spent an enormous amount of money in the last 2 years on agriculture with the ''emergency'' funding for $27.3 billion, as well as $5.5 billion in new agriculture commodity support payments just last July.

I am fully aware of that. I understand the threats—veiled or otherwise—that if we don't get this bill now, we will have a repetition of what I have described in the last paragraph of my comments. I don't believe so. I believe we understand clearly where we are, and I do believe that now is the time to say no to legislation that clearly doesn't fit a budget—at least we don't know that it does—and has the kind of policies adopted that I think are as counterproductive as they can be.

I yield the floor.

The PRESIDING OFFICER (Mr. JOHNSON). The Senator from North Dakota is recognized.

Mr. CONRAD. Mr. President, I have been listening to the Senator from New Mexico, the ranking member of the Budget Committee, former chairman of the Budget Committee, and a very valued member of that committee. But I must say I disagree with his conclusions about this farm bill. Let me just enumerate the reasons.

First of all, while it is true a new budget resolution has not yet passed, it is also true under the rules of this body that the previous budget resolution guides our actions until the new budget resolution is passed. The budget resolution under which we are operating provides for the amount of money that is in this farm bill. This farm bill is entirely within the budget requirements under which we are operating.

No. 2, every budget that has been presented for the next year includes this same amount of money. The budget the President has presented, the budget the House presented, the budget that has passed the Senate Budget Committee—each and every one of them has the same amount of money for a new farm bill that was in last year's budget resolution. So the question of what the budget resources are is not in doubt.

The fact is, the Congressional Budget Office has provided an estimate of cost. That is always the case when the Senate and the House are considering legislation. They do an estimate of the cost. We operate under that cost until the job is finished. We don't change the estimates in the middle of the effort. We don't change the rules in the middle of the game. They made an estimate, and we are living with it today. We don't change estimates in the middle of a legislative agenda because to do so would make the work of Congress virtually impossible. If we changed the estimates every time the Congressional Budget Office made a new estimate, the committees would never know what resources they had to deal with. So this is a longstanding practice of the Senate and the Senate Budget Committee.

Once the action has been taken in the Senate and in the House, as it has been, we don't change the estimates in the conference committee. That would create chaos. So the fact is, the estimates we were operating under when the bill was considered in the House, and then considered in the Senate, were the same estimates used in the conference committee, the same estimates being used today, and the reason there is no budget point of order against the farm bill that is being considered.

Those are the facts. These budget estimates that were done by the Congressional Budget Office and were used by the Senate and House as they worked up a farm bill were made in good faith. Now, with later information, they may alter them somewhat, but we have to follow the assumptions that were made at the time the legislation was considered. We certainly don't change the estimates in the middle of legislative activity or in the conference committee to resolve the differences between the Senate and House farm bills.

Let's lay the budget issue to rest. There is no budget point of order against this bill. This bill is in full compliance with the requirements of the Budget Act. That is No. 1.

No. 2, why is this farm bill necessary? I read the eastern press, and they are panning this bill almost on a daily basis. I submit to you that many of these newspaper writers, editorial writers, have never set foot in my State. They clearly have not paid much attention to what our farmers are up against in this international environment. We are not an island unto ourselves in the United States. We are up against very tough, determined competition from countries all around the world that are doing much more for their producers than we are doing for ours. Let me repeat that. Our major competitors are doing much more for their producers than we are doing for ours. To abandon our producers is to put them on an unlevel playing field. To create a circumstance in which they cannot fairly compete would be a profound mistake for this country, for our producers and, ultimately, for our economy.

Let me just direct people's attention to this chart, which says it very clearly and very well. Our major competitors are the Europeans. Their supports are far higher than U.S. supports for farmers. The most recent data available show the average support level in Europe is $313 per acre. That is how much assistance the Europeans give their farmers—$313 an acre. Here is the comparable level of support in the United States: $38 an acre. It is $38 an acre in the United States and $313 an acre in Europe.

It is no wonder there are hard times in rural America. It is no wonder there are hard times up and down the main streets of every rural city and town. It is no wonder if you go to the European countryside, it is prosperous. Why? Because our European friends have decided they are willing to put out a lot of money to have a prosperous rural countryside so everybody doesn't go to town. They don't want everybody to go to town. They want people out across the land. What else? They want to have an assured source of supply. The Europeans have been hungry twice. They never want to be hungry again, and they are willing to pay to make certain the productive capacity is out across their countryside and to make certain they are never hungry again.

It doesn't end there. These are not KENT CONRAD's numbers or Budget Committee numbers; these are from the Organization for Economic Cooperation and Development's analyses of the different support levels in different parts of the world. These are the numbers of the official scorekeepers internationally. They are the ones who do the determinations of actual support in various regions of the world.

As I have indicated, it doesn't end there because if we look at export support, export subsidies, we find the European Union floods the world with agricultural export subsidies. This pie shows the amount of export support in the world. The blue part of this pie is Europe's share. Europe accounts for 84 percent of all the world's agricultural export subsidy—84 percent.

Here is the United States' share: Less than 3 percent. Less than 3 percent of the United States; 84 percent in Europe. They are outgunning us almost 30 to 1. That is what our competitors are up to.

By the way, they have gone from being the biggest importing region in the world to being nearly the biggest exporting region in the world in 20 years, and they did it the old-fashioned way: They bought the markets. They bought markets that were traditionally ours.

Some of our opponents on the other side would say to American farmers: You go out there and compete against the French farmer and the German farmer, and while you are at it, you take on the French Government and the German Government as well. That is not a fair fight. Our farmers are ready, willing, and able to compete against anybody any time, but it is not fair to put them up against the treasuries of European nations. It is not fair to put them up against the Treasury of the Government of France and the Government of Germany and the Government of England. That leaves the playing field tilted badly against them. That puts American farmers in a circumstance in which they cannot possibly compete and succeed, through no fault of their own.

To do something other than to try to level the playing field is to abandon our farmers. It is to wave the white flag of surrender and say to the Europeans: You just take it, take it all; take the agricultural base, and while you are at it, take the 20 million jobs that go with it; take the jobs in distribution, in transportation, in marketing; take them all. Because that is what they would like to do, and that is why they are spending so much to achieve that very result.

We do not have to look very far to see what is occurring in world agriculture. All we have to do is study the annual statistics, and we can see very clearly the pattern and plan of the Europeans. We can either decide to wave the white flag of surrender, engage in what I call a unilateral surrender, or we can fight back.

That is a fundamental question before this body as we consider this farm bill: Are we going to fight back, or are we going to roll over and surrender? That is a fundamental question for this country. Do we want to maintain the capacity to produce food in this country, or do we want to be dependent on foreign countries for our sources of food? That is a fundamental issue before this body in considering this farm bill.

I pray this country makes the decision that we are going to try to level the playing field; that we are going to fight back; that we are going to give our farmers a fair, fighting chance. To do otherwise is to abandon them in this international competition.

This farm bill has improved countercyclical support. That was a key failure of the last farm bill. The last farm bill said: The market is going to work even though other countries are not following it, even though other countries have these massive programs to intercede, to maintain a network of family farms across their countries. We know it did not work. How do we know? Because we had to pass economic disaster bills in each of the last 4 years, economic disaster bill after economic disaster bill because the previous farm bill was a disaster itself. This is an attempt to provide a stronger structure under agriculture so we do not have to repeatedly come back to our colleagues to ask for economic disaster assistance.

Let me make clear, we may have to come back for natural disasters; indeed, I think we will because none of us can predict when a hurricane might strike, when we might have a tornado, when a part of the country might be hit by drought or overly wet conditions. Natural disasters often require a response. None of us can predict when they might strike, what their effects might be. But economic disasters, which were created in part by the last farm bill, hopefully we can prevent.

We do it with higher loan rates, and with optional updating of bases and yields—those are the determinations of what a farmer's base is for support. We do it with a new marketing loan program for pulse crops: dry peas, lentils, and small chickpeas, which are important in crop rotations in part to break the disease cycles we have seen and that have contributed the need for disaster programs in recent years. There is the repeal of the sugar loan forfeiture penalty, a penalty that should never have been imposed in the first place.

The bill has country of origin labels for imported meat, fish, produce, and peanuts. This is critically important. Have we learned nothing from what has happened in the rest of the world? Europe has been hit by mad cow disease and by hoof and mouth disease, and they have responded by creating a system that will allow them to know where each animal came from, the specific farm the animal came from, because they know they need to have that information.

I had the Ambassador from Uruguay in my office just last week. They are creating a system to know the origin of the food they eat. In Uruguay, they are going to be able to track an animal back to the farm it came from, so if there is a problem, they can trace it and isolate it and prevent an expansion. That is just common sense.

Think of how many times we have heard on the news that there is a recall of food products, and they provide you the listing of the number on the can so we know what to look for. What would they do if there were no numbers on the cans of processed foods and we did not know what to look for? What would we do when they found there was a problem of tainted product and they had no way to track it? We would either have to throw it all away or take our chances.

There is a better way. We have found that better way. It is to know the source of the food. That is what we are doing in this bill. Yet there are people who are still railing against doing what anybody with any common sense knows we need to do. We need to know the origin of the food we are eating. That is basic. That is basic to dealing with foot and mouth disease, that is fundamentally important to dealing with mad cow disease, that is fundamentally important to dealing with possible terrorist threats, so that if any problem develops, we can trace the source of our food, we can isolate it, and we can eliminate the threat. That is common sense, and this bill provides it.

This conference report also includes a strengthened commitment to rural development, conservation, trade, and, yes, nutrition programs.

In conservation alone, I was amazed to read an editorial that suggested that somehow the commitment to conservation in this farm bill was inadequate. What farm bill are they talking about? This bill has increased the commitment to conservation by 80 percent, and yet they said it was insufficient. Mr. President, an 80-percent increase is insufficient?

We need to do a better job of conserving our soil. We need to do a better job of conserving our precious water resources. This bill makes major strides in that direction.

One of the key elements of the bill is the signature piece of the chairman of the Agriculture Committee, Senator HARKIN of Iowa, who authored the conservation security program which is part of this bill. He has said something that I think is going to resonate in history because he has declared: We are not going to just continue conservation programs the same old way, we are going to make a departure. We are not going to just have the Federal Government pass laws that become regulations and then, if people do not follow them, we penalize them. Instead, he says: With the conservation security

initiative, we are going to establish what national priorities are in conservation, and then we are going to provide an incentive program for farmers to comply. That is a profound difference in the relationship between the Federal Government and agricultural producers. It is a profound change. It is precisely the right change. It says to farmers, when we identify a national priority, we will respond; we will respond with an incentive to encourage you to adopt that practice.

That is important. That is important to the environment. That is important to producers. That is important to the Nation. That will provide a template for future Government relations with the people for whom we work. He has made an enormous contribution. This is a $2 billion program that fundamentally changes the relationship between the Federal Government and producers across this country.

This bill also includes a renewed commitment to rural development: $1 billion in new funding to encourage and strengthen economic development in the rural parts of this country. It is badly needed. Certainly, in my part of the country, we continue to lose population.

We also have the trade title. We are facing tough competition and we need to fight back. One billion dollars in additional funds is in the trade title. We will have an aggressive outreach to other countries to buy American products from American producers. That is what an American farm bill ought to be about.

I saw with great interest what the Republican chairman of the Agriculture Committee in the House of Representatives said about this bill. He said this is not a bill for France. This is not a bill for Canada. This is a bill for American farmers and American consumers. This is an American farm bill.

Chairman COMBEST has that exactly right. This is a bill for America. It is a bill that deserves our support. I was proud to work with the conferees on this bill. Chairman COMBEST, a member I developed great respect for in all the hours of negotiation, is truly an outstanding leader for American farmers, American consumers, and American taxpayers. He was concerned about them all in this conference.

So was Congressman STENHOLM, the ranking member of the House Agriculture Committee. No one would want to meet a tougher negotiator than Congressman STENHOLM. He was very tough. He knew there was a lot at stake for this country, for our producers, for our consumers.

To our own conferees, I want to say thank you. Thanks especially to Senator HARKIN, who day after day after day stayed and negotiated and fought for a strong farm bill because he knew what would happen if we failed. If you are ever in trouble, you want someone like TOM HARKIN fighting for you in the Senate because he is determined and he will not give up. This farm bill is a great testimony to his leadership.

I could not leave out our own leader, Senator DASCHLE, who at key times came into the negotiations to help us over the rough spots. He showed great wisdom, great patience, and great leadership. We thank him for all he contributed. He represents a farm State. He knew what was at stake.

Considerable thanks as well to Senator LEAHY. I have never seen anyone more determined on behalf of his constituents than Senator LEAHY. We listened to a lot of detailed debate on the merits of the dairy provisions of the bill. This bill was improved because of that determination.

Now a word about those on the other side. Senator LUGAR, the ranking member of the Agriculture Committee, disagrees with what we have produced. He has made that clear. I have enormous respect for DICK LUGAR. He is one of the most knowledgeable Members of this Chamber on a wide range of issues. On foreign policy questions, there is nobody I would rather talk to or listen to before reaching a conclusion than DICK LUGAR. He is an extraordinarily intelligent man, a person of great character. He speaks against this bill out of principle. I respect that. I don't agree with him in this case. I think I have outlined some of my reasons for disagreement, but he makes a very strong case, an intellectually honest case. I disagree with him. However, his argument is intellectually honest, and he has been very clear and forthright throughout the entire procedure. He made very clear he wasn't for this, every step of the way. I admire Senator LUGAR. My respect for him has done nothing but grow, although I disagree with his fundamental conclusion.

Others say this costs too much money, and I understand that. I am chairman of the Budget Committee. I wish we didn't have to spend this kind of money. Friends, our competitors are spending much, much more. To spend less is to say to our people, tough luck; you are out of business. That would be a profound mistake.

Let me close by urging my colleagues to support this bill. It deserves their support. It is a balanced bill. It is within the budget. It is a bill that will make a difference for our country over time. Not immediately, no. It will not solve all the problems immediately.

To our colleagues who say this bill costs way too much, we ought to present it in context. In the year 2000, we spent $32 billion helping our producers. In 2001, we spent $22 billion. This is on a fiscal year basis. That is different than on a crop-year basis. On a fiscal year basis, these are the numbers: $32 billion in 2000 and $22 billion in 2001. In 2002, it will be $14.2 billion. In 2003, it will be $19.1 billion. The red bars are the amount added over the current farm bill. So for 2002, without this legislation, it would still cost $12.7 billion in that fiscal year. In the year 2003, it would cost $12.3. This bill adds $6.8 billion to take us up to $19.1 billion for fiscal year 2003, which will start October 1.

Remember we are coming from much higher levels of expenditures when you count the underlying farm bill plus the economic disaster payments we have enacted. This chart shows that, although we have healthy levels of expenditures in this new farm bill—more than $70 billion more than we would have had under the old farm bill—we actually have less than was paid out by the Federal Government under the old farm bill plus the economic disaster payments made in each of the last 4 years.

I conclude by reminding those who are listening that we are up against fierce competition from our major competitors in Europe who are spending much more than we are, providing much higher levels of support for their producers than we provide for ours, and on top of that, are spending much more to promote their exports than we spend to promote our agricultural exports. Those are the facts. I hope our colleagues will remember when we reach a conclusion that this is a bill that is critically important to American agriculture.

A major farm group leader in my State responded tellingly when I posed the question, What happens without this bill? His reaction was immediate and strong: Senator, without this bill there will be a race to the auctioneer.

That is exactly right. This bill is all that stands between a race to the auctioneer in every farm community in this country and the continuing viability of the family farm network that has served this country so well.

Mr. HARKIN. Will the Senator yield?

Mr. CONRAD. I am happy to yield.

Mr. HARKIN. I thank the Senator for his kind words. I thank my friend and my colleague from North Dakota for two things: First, for his great leadership as head of our Budget Committee and for giving the guidance and direction and providing the budget for what we need to do; and for being on the Agriculture Committee and providing his expertise on budget matters as we work through the farm bill, both in the committee, on the Senate floor, and in conference. He has been great. I compliment the Senator.

I can say without fear of contradiction that many times we might have been persuaded to go in a different direction—let's say on the farm bill in the conference—had it not been for the Senator from North Dakota, whose expertise and knowledge of the budget came to the forefront and carried the day for us so we got the bill that we got.

I thank my friend from North Dakota for, again, being there every day. The Senator said I was there every day. He knows because he was there every day that I was, on the farm bill conference. I thank him for that. I also thank the Senator for always pointing out in these negotiations, when we are talking about trade, what the Europeans

are doing compared to us. We cannot ever forget that. This farm bill that we passed, this is for our farmers, for our ranchers. This is not for the European farmers and the European ranchers and the South American farmers. This is for our farmers. We ought to make no excuse for it, none whatsoever. We are sticking up for our producers in this country.

I have one last thing to say to the Senator from North Dakota about the chart he had up recently about the money we are spending on agriculture. I think I read an editorial, maybe it was in the Wall Street Journal—or someplace else—going after how much money we are spending on agriculture. I asked to get a run here from CBO on their baseline projections from now for the 10 years of this farm bill compared to the total outlays of the Federal Government. If you take the outlays of the Federal Government for the next 10 years, CBO says that comes to $22.245 trillion. Add up all the spending on agriculture for everything; that comes to $206.2 billion—.93 percent of all the spending the Federal Government is going to do in the next 10 years goes for agriculture.

That is a small price to pay, I say to my friend from North Dakota, for having the best food supply, the most productive capacity in the world, the cheapest food, and the safest food anywhere in the world. I think when the American people see that, they will say: Yes, this is the kind of farm bill we need. Ninety-three percent? I say to my friend from North Dakota, I believe the average American will say that less than a penny out of every dollar to keep our farmers in business is a very small price to pay.

I thank the Senator from North Dakota, again, for his wisdom, guidance, and judgment on these matters as we work through this farm bill.

Mr. CONRAD. Mr. President, I conclude by thanking my colleague, Senator HARKIN, the chairman of the committee, who really did an outstanding job getting this bill through the committee, through the Senate, and through the conference. Certainly, thanks also go to our colleague on the other side of the aisle, Senator LUGAR, for his passionate position and his wisdom. Even when he disagreed, he would provide us with observations that guided us in terms of altering what would otherwise have been a weaker bill. So I thank him and recognize his very professional staff as well.

Senator LUGAR, we thank you and your staff.

On Senator HARKIN's staff, I want to thank Mark Halverson. Mark, who is the staff director of the Agriculture Committee, showed enormous diplomacy going through this process. This is tough stuff. It is extraordinarily complicated. There were hundreds and hundreds of hours of deliberation. I thank Mark Halverson for always keeping his cool and for his wisdom in keeping a focus on the ultimate goal.

I also thank Susan Keith as well, who worked so hard on this bill. We appreciate all that she meant to its conclusion.

On my staff, I thank Tim Galvin and Scott Stofferahn. Tim Galvin and Scott Stofferahn were an extraordinary team. They played a key role throughout this process.

Tim Galvin, who used to be on the staff of former Senator Bob Kerrey of Nebraska, who served as head of the Foreign Agricultural Service in the Clinton administration, joined my Budget Committee staff more than a year ago. I could not have chosen better. He has been absolutely outstanding.

Scott Stofferahn, who is on my State staff, commuted—and this was truly a case of long distance commuting—to participate in the deliberations on this bill because he headed the Farm Services Agency in North Dakota under the previous administration for 8 years and knew the details of farm programs backwards and forwards. He was really indispensable to our efforts. So special thanks to Tim and Scott, to the staff members of Senator HARKIN and the staff members of Senator LUGAR, and certainly to our colleagues on the House side.

There were times we had very deep disagreements in the conference committee, but one thing you never questioned was that each and every Member was doing his or her level best for the farmers of this country, for the taxpayers of this country, for the consumers of this country. We had different ideas about what that represented, but I never questioned the good faith of any member of that conference committee, including those who disagreed with us.

Certainly to Congressman COMBEST and Congressman STENHOLM, we appreciate your patience. The patience of each of us was tried at times, but it was an important effort.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. HARKIN. Mr. President, earlier today I asked unanimous consent to have some letters printed in the RECORD, letters of support for the bill.

I have three others I would like to have printed. The first is a letter from the Iowa Farm Bureau Federation saying they urge strong passage of the conference report for the 2002 farm bill. I ask unanimous consent the letter from the Iowa Farm Bureau be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

IOWA FARM BUREAU,
May 1, 2002.

Hon. TOM HARKIN,
U.S. Senate,
Washington, DC.

DEAR SENATOR HARKIN: On behalf of the 150,000 plus members of the Iowa Farm Bureau Federation, the Iowa Farm Bureau Board of Directors urges you to support passage of the conference report for the 2002 farm bill. We are generally pleased with the provisions in the conference committee report including a stronger safety net for our producers and an increase in conservation spending. Iowa farmers will benefit from the additional safety net features and are seeking your support for this legislation.

The conference committee report contains many of the features of the current farm program and improves upon the safety net by instituting a counter-cyclical payment when prices fall below certain levels. It provides for a strong commitment to trade, rural economic development and conservation. In particular, the $9 billion in additional spending for the environmental quality incentive cost-share assistance program will mean that Iowa farmers have access to the much-needed resources to address environmental concerns. We are particularly pleased that the conferees agreed to fund the Conservation Security Program. This new conservation program will be important to compensate farmers for the ongoing costs of conservation practices.

In addition, we are pleased that the conference committee included the Senate's version of the energy title and provisions designed to enhance protections for livestock producers. The conference committee agreed to prohibit confidentiality provisions in production contracts. These provisions have limited the ability of producers to seek legal and financial advice about the terms of a contract before entering into it. This provision does not preempt stricter state laws; thus, Iowa's law will not be negatively impacted. In addition, hog producers with production contracts will have additional protections under the Packers and Stockyards Act.

Despite our disappointment that a ban on packer ownership was not included in the final version, we are pleased that the committee included country of origin labeling. This provision will ensure that consumers have an opportunity to choose between domestically produced beef, fruits and vegetables and those produced overseas. We believe that U.S. consumers will choose to purchase products produced by our farmers if this information is made available to them.

The farm bill conference committee report is a consensus document that balances the needs of the program crops and other agricultural commodities. It provides the additional safety net that producers have been seeking and maintains the strengths of the current farm program. Thank you for your consideration.

Sincerely,

CRAIG LANG,
President.

Mr. HARKIN. Next, a letter from the Iowa Farmers Union. They also sent a letter of support urging passage of the bill. I ask unanimous consent that letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IOWA FARMERS UNION,
Ames, IA, May 1, 2002.

IOWA FARMERS UNION REACTS TO THE FARM SECURITY AND RURAL INVESTMENT ACT OF 2002

AMES, IA.—Over the past few years, Iowa Farmers Union (IFU) has been working intently with our elected officials to vastly improve farm legislation. Now, after weeks of deliberations, the farm bill conferees have reached an agreement on a new farm bill entitled ''The Farm Security and Rural Investment Act of 2002''

''We are still waiting for the final details, but what we have seen so far indicates the new farm bill provisions will be a definite

improvement over the former 'Freedom to Farm' program that was a disaster for farmers and taxpayers alike,'' said Gary Hoskey, IFU President.

The agreement, while short on specifics, should provide certainty to farmers and lenders because of the new safety net provisions of the law. Under the old program, farmers and lenders were forced to make production decisions that would not cash flow, in hopes that Congress would pass emergency supplemental aid legislation long after the crops were planted.

''The Iowa Farmers Union joins all Iowans in extending our thanks to Senate Agriculture Chairman Tom Harkin for his efforts in this new farm legislation,'' said Hoskey. ''Not only did Senator Harkin succeed in getting a much improved safety net for family farmers, he was also successful in getting significant increases in conservation programs and rural development funding.''

''And, for the first time ever, there is an Energy title in the farm program that will encourage research and development of renewable and bioenergy resources. Hopefully our country will now look more to agriculture for renewable energy sources instead of imported oil from the Middle East.''

''We are also glad to see Country of Origin Labeling included in this law. It is something we have worked on for a long time,'' added Hoskey

''We are disappointed that the payment limitations were not lowered more and the packer ban on owning and feeding livestock was not passed,'' said Hoskey. ''We will continue to work with Senator Harkin and our other legislators on these and other important issues.''

Mr. HARKIN. And the Iowa Soybean Association in applauding the completion of the bill and urging its passage and signature by the President.

I ask unanimous consent the letter from the Iowa Soybean Association be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

IOWA SOYBEAN ASSOCIATION,
Urbandale, IA, April 30, 2002.

THE IOWA SOYBEAN ASSOCIATION APPLAUDS THE COMPLETION OF THE 2002 FARM BILL BY U.S. SENATE AND HOUSE CONFEREES

URBANDALE, IOWA.—The Iowa Soybean Association (ISA) applauds the completion of the 2002 Farm Bill by the U.S. Senate and House conferees today.

ISA President John Hoffman said, ''Soybeans are treated more equitably in relation to other program crops in this legislation, and Iowa soybean farmers are provided better income protection. ISA is pleased with the inclusion of expanded conservation programs, an energy title, which increases opportunities for soy biodiesel, and increased funding for important trade title programs in the Bill.''

''On behalf of ISA, let me thank Chairmen Tom Harkin and Larry Combest and their colleagues on completing this demanding process in time for programs to be effective for 2002 crops,'' Hoffman added.

The completion of the bill comes after much diligent work by both ISA and American Soybean Association (ASA) directors on behalf of Iowa soybean producers with key legislators. Good farm policy is the goal of the lobbying efforts by members of both ISA and ASA. ISA will continue to be a leader in efforts such as these to ensure equitable treatment in the 2002 Farm Bill and other soybean policy issues.

Mr. HARKIN. These three farm groups in Iowa all support this farm bill.

I listened to the debate on the floor. I listened to my colleague from Iowa earlier. This is the first opportunity I have had to respond.

My colleague and I have been friends for 28 years now, I guess it is, since we both came to the House in 1974. We worked very strongly together on issues of concern to our State and Nation. We do not always agree on things, I understand that, but we do work together.

I think we have a pretty big disagreement on this farm bill. I say to my colleague from Iowa—he went on about the trade portions of the bill and whether or not it is going to violate WTO. I want to set the record straight one more time. This bill will strengthen our position in the WTO negotiations. It will strengthen it. If we go down towards zero in amber box payments, that weakens our bargaining position. The closer we get to $19 billion, that strengthens our position. It strengthens it basically because of what Senator CONRAD from North Dakota was talking about—how much the European Union supports its agriculture.

Second, my colleague from Iowa said there was a one in five chance that we would violate the WTO. That is a statistic that has come from the Food and Agriculture Policy Research Institute. That said they estimated about a 19-percent chance, I guess, of this violating the WTO.

FAPRI also said the present law, the law we have been under since 1996, has a 14-percent chance of violating WTO. So the present law is 14 percent, this is 19 percent; that is a very modest change, a very modest amount difference. So we should not be worried about that. We are well within the bounds of WTO.

I reaffirm that this farm bill is for our farmers. We stick up for our farmers. We stick up for our ranchers. We stick up for our people in rural America. Through the process of our committee and the House process and the conference committee process, we work out what we believe is best for our producers, our farmers, and our ranchers—not what is best for Germany, France, Brazil, or China. That is their business. As long as they do it within the WTO, it is their business. How we seek to address our problems and to help our producers is our business. It is not the business of France, Germany, Italy, England, Brazil, China, or Japan. That is our business.

I hope people understand and recognize that, yes, we have a WTO, but our first obligation, as we held up our hand and swore our oath of office here, our first obligation is to our people, to make sure we take care of our people first.

I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. LUGAR. Mr. President, I yield time to my distinguished colleague from Montana.

Mr. KENNEDY. Mr. President, will the Senator yield for a consent request?

Mr. LUGAR. I am happy to yield.

Mr. KENNEDY. I ask unanimous consent that I be allowed to follow the remarks of the Senator from Montana.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LUGAR. Mr. President, how many minutes does the Senator request?

Mr. BURNS. Mr. President, I am going to keep it as short as I possibly can. I want to make a couple of comments, and then I will fade away into the past. How is that?

The PRESIDING OFFICER. The Senator from Montana.

Mr. BURNS. Mr. President, I thank the Chair, the chairman of the Agriculture Committee, and the ranking member.

I start off by thanking them for the work they did on this bill.

Agricultural legislation is, of course, very important to the State of Montana. There is no question about a changed policy on how we serve agriculture. There is no doubt in my mind that this bill will not bring lower prices for food commodities. Agribusiness will continue to buy as cheap as they can. The taxpayer will continue to pay their prices, and also the taxpayer will continue to participate in the income of American agriculture at the production level. That is not going to change. What has changed a little bit is that we are into price support protection of a commodity. We are not in the business of guaranteeing the income of the farmer.

This will allow us to make a strong argument for a market-driven economy on the global scene.

It will have trade impacts. There is no question in my mind.

Even though we have dealt with this kind of situation before, it is my belief that we will drive up the cost of land. When we do that, the bigger producers will buy out the lower producers. So we don't save a lot of small producers—the people we are trying to help out.

That is what farm bills do. That is what price supports on commodities do.

I will vote for this bill. But it is hard to stand up here and talk philosophy and about a direction when you are in the middle of a 5-year drought. Montana needs some help.

Will this bill help those who are in a drought? No, it will not. We will have to get some supplemental money somewhere for drought relief. I think we can do that, if we work very hard.

The total cost is over budget—as submitted by the Congressional Budget Office—by $80 billion. We thought we were operating within around a $70 billion or a $72 billion budget. We know we are over budget for this particular piece of legislation.

In spite of all of these loan rates and targets, there is a strong suspicion on my part that we will be back in the

business of overproduction. If there is a strong conservation title in this bill, it will be hard to implement with soil conservation and water conservation with an enticement to overproduce. I have a suspicion that it is in here.

We didn't do anything about insurance. We didn't look into that to see how it is used in unusual ways to enhance the purchase of revenue insurance for farms. We need to look at that.

We didn't get the packer concentration legislation that we wanted, nor did we prevent the USDA from using a USDA stamp on meat products imported into this country. We did get a country of origin label.

That may be a slippery slope. There is a downside to that. But for every upside there is always a downside. We hope when we get into the administrative rules of that program we can have some input so that our producers are not only protected but have the ability to participate.

I know some of us in this body do not live on a border. But I will tell you our challenges along that border are much greater than some would imagine.

We did nothing about captive shippers when we moved our crops to ports and plants.

Those of us who only have one railroad have real serious concerns about producing for the railroad. It wasn't meant to be that way. But that is the way it is under present conditions.

As you know, in agriculture, we buy retail and we sell wholesale, and we pay the freight both ways. Those things were not even dealt with or looked at in this piece of legislation.

As we look at this issue, we are back to loan rates which are a little bit higher than before. We are back at targets, and we are back to deficiency payments.

Those of us who thought we were going to get an LDP payment in September forget about that. It is going to be smaller. You are going to get it in four payments starting this September. The last payment is coming in June of next year.

I don't think that is going to make every banker in the world happy. It won't get us out of our doldrums as far as producing this year's crop.

Like I said, we haven't had a crop for 5 years. Again, we are in a situation in Montana where we need an infusion of money. That is what drives my vote today. It is not because I agree philosophically about where this bill is taking us. I think probably when you look at it, the chairman of the committee was exactly right. If you look at it, it is not very much more money for our producers as compared with where we have been in the last 4 or 5 years. It doesn't increase their income all that much. You will just have to do more paperwork to get it with risk involved.

Tomorrow, we will vote for this bill. But I have the expectation that it will not be long before we will be revisiting this business of agriculture—before any of us are gone from this body.

I thank the Chair. I yield the floor.

The PRESIDING OFFICER (Mr. CARPER). The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I wonder if the good Senator would be kind enough to yield 15 minutes off the bill.

Mr. HARKIN. I yield 15 minutes to the Senator from Massachusetts.

The PRESIDING OFFICER. The Senator from Massachusetts.

(The remarks of Mr. KENNEDY are printed in today's RECORD under "Morning Business.")

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I yield time to the distinguished Senator from Wyoming.

The PRESIDING OFFICER. The Senator from Wyoming is recognized.

Mr. THOMAS. Mr. President, I think we are talking about agriculture generally, are we not? Good. I wanted to talk about the farm bill. I had thought that is what we were talking about this afternoon. Apparently other issues are talked about as well.

In any event, the bill before us, of course, is the conference committee report on agriculture. That is the one, it seems to me, we need to focus on at the moment.

I begin by saying I am pleased we have a conference report on the agriculture bill. The conference report is before us and we can make a decision with respect to agriculture in the bill that is before us.

For much of agriculture, of course, this is a key time of the year. Completion here is certainly very timely and one that is very important.

I know that colleagues on both sides, the House and the Senate, spent many hours over the past couple of months working to reach a compromise. I thank them and their staff because I know it was very hard work and it takes a very long time.

We need a farm bill. We need a farm bill. That is very important to our economy. It is very important to our Nation. It is very important to homeland defense and all the things that are important to us. Producers in rural communities depend on a stable farm policy.

Of course, the bottom line, what we ought to be talking about, is a stable farm policy, the kind of policy that will show to us in the future where we want to be in agriculture.

I get a little concerned sometimes as we talk about all kinds of subjects and obviously talk about the immediacy of them. And that is the fact. But we really ought to be thinking a little more of where we would like to be in 10 years or 20 years. Where do we see agriculture? Where do we see our families and our communities in 10 or 20 years? What do we want agriculture to look like? That really ought to have an impact on what we do in the long term, and what we do now is going to impact that long term.

If we could develop a vision of where we wanted agriculture to be, then, of course, decisions we make in the interim would be much easier and certainly would lead toward the goal that we want.

Many of the programs that are in this bill affect Wyoming and are beneficial to Wyoming. The new sugar program is based on marketing allotments. Sugar, interestingly enough, in Wyoming is a major commodity and has been one of our biggest cash crops in our State of Wyoming; in addition to being one of the relatively few products that goes out to the retail markets that is entirely processed in our communities in Wyoming.

New policies are designed to keep the market in balance and to have something to do with production and control and to prevent the costly, damaging forfeitures we have had in the past.

As you probably know, we have been for years about the second largest producer of lamb. So we needed to ensure that this product is eligible for a marketing loan, and we are happy that it does. I am pleased that the conference provided wool producers with a new opportunity, similar to others, to grow and to strengthen their markets. These producers are making changes. These producers are looking forward and seeking to develop a niche market for their own products and to work with processors so they can move forward.

One of the things we have seen in agriculture, of course, is out of the total price for a retail agricultural product, the percentage that goes to the producer is getting smaller and smaller. So we are making some moves there.

Wheat, of course, is the only so-called program crop in Wyoming. The report continues to provide assistance, of course, to wheat producers.

Conservation is important to all of us in agriculture, and I think maybe it is particularly important to those of us in the West—maybe not any more important but we really like open space and we really like to keep properties, lands open. Of course, the answer to that is to have an effective agriculture, to have a profitable agriculture where people can stay on the land and keep it open and available. So we are pleased with that. It provides a means for producers to comply with Government mandates while voluntarily working to protect the environment. Water quality is one of those things, and we certainly need to be very careful about that. It is a very important thing to us.

The report subsequently boosts spending for conservation to $17 billion. That is good. Conservation affects everyone. One of the things we tried to do, and I tried to do as a member of the committee, was to kind of get off of this program crop thing, where the high majority of the money has always gone, and put it over a little bit more on general agriculture so we could have an impact on the broad view of agriculture and not just on cotton and wheat and corn and soybeans. They are important, too, of course, but they are

not the only crops in the world. So this conservation approach was one of the best that we could take.

As we worked on this bill in committee, as a member of the Agriculture Committee, I spent the bulk of my time working on the conservation title.

Efforts such as the Environmental Quality Incentives Program, EQIP, helps farmers and ranchers with technical information, with water quality as it comes through their land, with livestock grazing, and so on. This is strengthened.

So I thank the conferees for incorporating much needed reforms in this program, such as boosting cost-share dollars, eliminating priority areas, and eliminating bidding-down procedures.

I am also pleased with the authorization of a new program for grasslands—the Grasslands Reserve Program. There are efforts here to assist in the protection of native grasslands, and it is particularly beneficial to western ranchlands that are being threatened by land sales and land fragmentation.

There are a number of programs in the bill that are critical for rural communities and the Nation's hungry, including rural development and nutrition programs, including food stamps, one of the major expenditures.

In my opinion, there is no question that these are important programs. I support them. However, on balance, I have concerns with the farm bill. Even though, as I have enumerated, I support those things that I think are reasonable, I think the final product has missed the mark. I believe Congress should be working to move agriculture more to a market-based economy versus one supported entirely by the Federal Government.

Here again, what do we want to see in agriculture in 10 or 20 years? Do we want the Federal Government to be in charge of farm production in this country? I don't think so. We want to develop the market so we can have prosperous agriculture in the private sector and people can make decisions for themselves.

This report is a dramatic step away from a market-based economy. Total spending has ballooned to about $83 billion over 10 years, according to the CBO score released yesterday. That is an increase of $9.3 billion over the original budget of $73.5 billion. Most of the increase is in the commodity title. Roughly $48 billion is devoted solely to the commodity title. If you incorporate CBO's new score, we are spending $57 billion for commodity programs alone.

In my opinion, the policies in this report will stimulate overproduction in an already fragile market. So we would move away from market control and move into a level set by loans and payments. Further, these same policies will price our products out of foreign markets. The fact is, about 1 in every 3 acres in agriculture must be in overseas markets. We produce much more than what we consume. We need to understand that those markets are vitally important to us.

Furthermore, farm policy, as I have mentioned, should benefit all of agriculture, not just select crops. Wyoming is not a crop-oriented State. Yet agriculture is one of our top three economic industries. Farm policies do not benefit my constituents as much as they do producers in the Midwest or even our surrounding States.

We should all question how these new policies will impact our trade negotiations and our export markets, which is what we are dealing with when this is over. If we have exceeded the so-called ''amber box'' allocation, our competitors can retaliate against our products because they think we have subsidized our products through this approach. How does retaliation benefit U.S. producers? Being locked out of export markets is a serious concern. We felt that very much when we had the Asian currency crisis and much of beef was going to Asia and the markets were building, and suddenly it did not. Now we find ourselves with relatively high tariffs there, which we ought to be able to negotiate down if we can deal with that.

When the United States is party to only a handful of agreements, we effectively limit our possibilities. If we aren't selling the wheat, corn, or beef to the world, someone else is.

When we began debate in the Agriculture Committee, I urged all of my colleagues to think about the future, where we were going to be. I think in most all we do we ought to be thinking about the long-term impact. I think that ought to be done here certainly.

Unfortunately, I fear this farm bill will create additional reliance on Government assistance, while simultaneously threatening our export market possibilities. So there are some questions in my mind about the conference committee report.

I was not on the conference committee. I have a question about packer ownership. As the chairman knows, I have long been concerned about the impact of packer concentration, where three or four packers handle 80 percent of the livestock. During Senate debate, I cosponsored an amendment to ban packing companies from owning and feeding livestock prior to slaughter. I would like to have someone from the conference explain to me why it is no longer a part of the farm bill if this would provide for more competition. Why would we not be for that? If it is better for producers, why would we not be for that?

Disaster assistance. Unlike much of agriculture, livestock producers do not have a Federal program. They have received very little assistance over the last few years, despite ongoing drought conditions that have forced many to sell all or part of their herd.

I would like to have the conference personnel tell me why, in a time of providing record assistance for agriculture, the conference report does not contain disaster assistance to agriculture, this conference report does not contain disaster assistance for livestock producers. We are providing $94 million in market loss assistance for apple producers and $10 million for onion producers—but not for livestock producers.

Again, there are some excellent portions of this bill. On balance, it is not moving in the direction we want to go in in terms of the future of agriculture.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. HARKIN. Mr. President, I yield 10 minutes—and more if he needs it—to the Senator from Georgia. He has been a very valuable member of our Senate Agriculture Committee. I take this opportunity to thank him personally for his diligence, his effort, and input into our committee deliberations, and also on the floor. I daresay that many of the good provisions that we have—especially dealing with getting the whole peanut program changed over to what it was in the past to meet new challenges for the peanut growers in America—would not have been there without the efforts and strong input from the distinguished Senator from Georgia. I yield to him 10 minutes or more if he needs it.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. MILLER. Mr. President, I thank the Senator from Iowa for allowing us to work so closely together on this piece of legislation.

Like many of our colleagues, I have been reading a great new book by Robert Caro on Lyndon Johnson, entitled ''Master of the Senate.''

I enjoyed the hundred or so pages on the Senate as an institution, and especially the chapters on Senator Richard Russell of Georgia. He is an icon in my State and, of course, one of the greatest Members to ever serve in this body. We remember him mostly for his contributions as chairman of the Armed Services Committee. But another of his great causes was that of the American farmers. When he was a freshman, just in his thirties, he became chairman of the Appropriations Subcommittee on Agriculture. Now, those were the days.

One of the things he was most proud of was his fight for a national school lunch program. Senator Russell would like what is in this farm bill for nutrition, and I think he would like the other parts of it as well.

Speaking on the importance of agriculture, Senator Russell once pointed out:

> Every great civilization has derived its basic strength and wealth from the soil.

As I stand behind this desk he once used in this hallowed Hall, and as we deliberate this farm bill, it is well to remember those words:

> Every great civilization has derived its basic strength and wealth from the soil.

I am afraid too many Americans do not understand that today. I strongly support this farm bill conference report, and I thank the members of the conference committee, as I said in the

beginning of my remarks, especially our chairman, Senator HARKIN, for their good and diligent work.

I also thank our majority leader, Senator DASCHLE, for his exceptionally strong leadership on this bill. We have a farm bill that the President has said he will sign, and I appreciate that. It is a bill that can be implemented this year and, most importantly, it is a bill that is good for all of America's farmers.

Farmers, ranchers, dairymen, bankers, equipment dealers, even family grocery store owners can finally breathe a small sigh of relief. With this bill, Congress will finally deliver some help to America's rural communities. Many do not realize it, but these communities are facing their biggest crisis since the Great Depression.

One of the most historic changes in this farm bill is the elimination of the Depression-era peanut quota system. Switching from this 80-year-old quota system to a new market-oriented program was not easy. In fact, it has been downright painful for many in my State, but I am confident this new peanut program will benefit not only peanut producers but also American consumers.

The new peanut program will allow our farmers to compete on a global scale, just as farmers of other traditional commodities do. It will provide access to new markets and fairer price competition with foreign countries.

At the same time, however, the elimination of the quota system will result in financial losses for many of Georgia's family farms. There is no question that this peanut quota is an asset. It is taxed by the IRS. It has been passed down through families from generation to generation. That is why on the Senate side, Senator CLELAND and I made sure farm families who have worked hard to purchase this quota over years are fairly compensated for their losses.

This bill gives peanut quota holders a fair 5-year buyout. Those who argue that quota holders do not deserve it simply do not understand how many have come to rely on this quota as their retirement. They do not understand how this quota system has helped fuel many rural economies for many years. So when we do away with it, as we are in this bill, in all fairness, we have to have a short transition. We need a bridge from the old system to the new, and this bill provides one.

I am very pleased the farm bill we have before us today does not have the lower payment limit that was adopted earlier by this Senate. That lower payment limit would have helped no farmer, but I can guarantee you it would have hurt many. I do not exaggerate. It would have forced many farmers in my State and across the South to put their farms on the auction block.

One has to understand the type of agriculture found across the South to realize the ill effect of lower payment limits. The cost of producing traditional commodities in the South often run three to four times higher than the cost of producing corn and wheat in other parts of the country.

Also, the size of a family farm in the South can be as large as a few thousand acres, much bigger than in other parts of the country. Our farmers in the South should not be punished because their production costs are greater or because their family farms are bigger.

The payment limit the conferees have worked on, a compromise between the House and Senate, closes the loopholes that have received so much public attention in recent years, but at the same time it still allows our farmers to produce the cheapest and healthiest food supply in the world.

Producers have the right to pursue efficiency and adapt to a changing world economy. I am pleased the conferees in the end understood the need to develop a final bill that will not hurt American farmers.

There are other important pieces of this bill as well.

This bill contains an 80-percent increase in conservation spending. That large an increase is unheard of. The increased funding will help with programs such as the Conservation Reserve Program, the Environmental Quality Incentives Program, the Farmland Protection Program, and the Wildlife Habitat Incentives Program. All of these programs are critical to farmers and livestock producers throughout Georgia.

These conservation programs help products comply with the costly Federal regulations that the Government continues to throw our way. In addition, this bill contains significant funding increases for research which we do a lot of in our university system in Georgia. I have already mentioned nutrition. Forestry, trade, and rural development programs are all here.

Mr. President, our farmers have waited long enough. Our rural communities have suffered long enough. Our previous agricultural policy has failed to provide the backbone needed during these depressed times in rural America.

For the sake of those rural communities in Georgia and all across this country, I thank, again, the leadership of the Senate and the House who have recognized this emergency and addressed it head on. I ask my colleagues to vote in support of this farm bill. It is a good one.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. LUGAR. Mr. President, I yield time to the Senator from Arizona. How much time does the Senator require?

Mr. MCCAIN. Fifteen minutes.

Mr. LUGAR. I yield 15 minutes to the Senator.

The PRESIDING OFFICER. The Senator is recognized for 15 minutes.

Mr. MCCAIN. Mr. President, I speak against this farm bill conference agreement that will serve as the basis of farm policy for the next 6 years. I oppose this legislation because it is an appalling breach of our Federal spending responsibility and could be damaging to our national integrity.

Included in this agreement, as we all know, is $83 billion in new spending for farm programs above the baseline, which brings the grand total to $183 billion for the life of the bill. In yearly spending, the projections for this new farm bill will rank among the most expensive farm bills in recent history.

Before I launch into my remarks, I wish to say that some of this new spending is laudable, including funding for conservation programs, increased funding for food stamps and nutrition programs, but unfortunately the bad policies outweigh any positive developments. Farm spending will reach record levels, and modest reforms were eliminated. We had a few modest reforms enacted on the floor of the Senate. All of those were eliminated.

It is no surprise that the adherence to the status quo is particularly disappointing since information was widely available demonstrating the overwhelming disparity of farm payment distributions. The GAO study highlighted the egregious disparity in farm benefits, demonstrating that over 80 percent of farm payments primarily benefited large and medium-sized farms. Other studies by the Environmental Working Group found that in evaluating U.S. Department of Agriculture data, the top 10 percent of big farmers and agribusiness consumed about 80 percent of farm benefits, leaving small farmers out in the cold.

When Members talk about small farmers, how in the world do you justify that—when they took out, I say to the distinguished managers of the bill and conferees—they took out the requirement, the ceiling we put on the maximum amount that a farmer could desire.

Tyler Farms in Helena, AR, received $23 million in cotton payments in 2001.

Cenex Harvest States Co-op in St. Paul, MN, received $9 million in wheat subsidies and also received $7 million in corn payments as well.

A farmers rice co-op in Sacramento, CA, received $40 million in rice subsidies, while Riceland Foods, Inc., in Stutgart, AR, received $38 million.

Mr. President, how does one justify this? What is going to happen? We all know what is going to happen. The same thing that happened in the past: 80 percent of the large corporations and large farms get the money; they buy out the small farmer, and the farms get big and the small farmers, whom ostensibly we are trying to assist in this legislation, are the ones who have to sell. A very large percentage have an average of about $1,000, while the major agribusinesses receive hundreds of millions of dollars. I don't have the figures for ConAgra and Archer Daniels Midland.

A modest effort was made to limit farm payments to $250,000 per farmer. Despite overwhelming justification for this modest limitation, looming farm and election year politics pressured conferees to reject any reasonable limitations. Nothing in this bill will serve as checks and balances to prevent the bulk of payments to selected commodities such as cotton, wheat, and corn

growers and large farming conglomerates.

This is not to say other targeted commodity groups are completely left out. A new mix of old and new subsidies flows in abundance in the final conference agreement, with $94 million in mandatory funding for market loss assistance for apple producers, $10 million in mandatory funding for onion producers, $1.3 billion guaranteed for dairy producers as a compromise for ending the Northeast Compact. Wool, mohair, and honey subsidies have been resurrected, which were phased out or eliminated in the 1996 farm bill.

I remember in 1996 we were so proud of the fact we finally eliminated mohair subsidies. We were so proud because mohair subsidies were put in during World War I because mohair was deemed essential to the production of uniforms for the Army—uniforms for the doughboys of World War I. We finally got rid of it in 1996. And guess what. Like Freddie, it is back.

Honey subsidies have been resurrected; a new payment and loan program for producers of dry peas and lentils; $500 million is secured for sugar growers, in addition to a continuing lucrative loan subsidy program.

I will talk about sugar for a minute. We are talking about wanting to help the poor countries in our own hemisphere. We are committed to helping Africa with massive economic aid. Bono, the great musician of U2, made a crusade of assistance, particularly for Africa, and we are going to pour American tax dollars into these countries to help their economies. Meanwhile, we are going to cut off every possibility they have of making a go of their economies because we will not allow their products into the United States of America, whether they be textiles or whether they be sugar.

Sugar is amazing. We have a couple guys down in Florida who control this huge amount of sugar production, and they are able, through their political clout and massive campaign contributions, to have an enormous impact on our protectionism. Meanwhile, we will borrow these products—whether they be textiles from poor Central American countries or sugar from Caribbean countries—and then we will turn around and give them economic aid, when really the best economic aid we could probably provide to these nations would be to allow them to export their goods and products to the United States of America. The American consumer is the one who would pay less for a pound of sugar, would pay less for sugar, would pay less for a pair of trousers or a shoe or a banana.

What have we done? We are costing the American average citizen, one who is not a farmer, big or small, enormous amounts of money because we will prop up a price, and because the agribusiness is by the small farms, they will cultivate them and they will grow more products, there will be more of a surplus, and we will, again, lift the subsidy, costing the average citizen a lot more money. This is a vicious cycle we are in. It is one that obviously is going to be very damaging for a long time.

While proponents of this bill claim otherwise, the potential for overproduction may result in lower market prices, forcing Congress to once again respond with emergency payments, forcing the United States beyond the $19.1 billion annual limit agreed to in recent World Trade Organization negotiations.

We have another problem with the bill. The WTO and other trading partners will not sit still for it. We will see some serious confrontation between ourselves and our friends overseas and in this hemisphere, particularly in the WTO. There will be great legitimacy to their argument. What will happen is exactly what is happening now after we bailed out the steel industry. We are going to see them slap tariffs on our product, and we will see the average consumer, the average citizen—not Archer Daniels Midland, not ConAgra, not Tyler Farms in Helena, AR, that got $23 million in cotton payments, not Seneca Harvest State Crop that got $9 million in wheat subsidy and $7 million in corn payments; it will be the average citizen.

We have a new payment and loan program for producers of dry peas and lentils, as I mentioned; $500 million for sugar growers; $204 million in mandatory funding for payments to bioenergy producers who buy agricultural commodities to expand production of biodiesel fuel, an additive made from soybeans and ethanol; $650 million for the Market Access Program, which taxpayers subsidize, a marketing program for for-profit corporations on overseas advertising and promotion—I recall one: Over $1 million which we are now spending to help convince people overseas to eat popcorn—establishment of a new peanut direct payment program at a cost of $3 billion; an additional $1 billion buyout program of the traditional peanut price support system.

All this new spending adds up to increased burdens for taxpayers, and it may threaten U.S. commitments through various trade agreements.

How can we say we are in favor of free trade when we are considering this kind of massive farm subsidy? I have argued a long time on the floor about catfish. A catfish is a catfish. Ask any scientific expert, any college professor. But we will call it by a different name so that we can ''nail'' the Vietnamese and make sure our domestic catfish industry is protected. And guess what. The price of catfish will be higher for the average citizen.

In a letter to Senator LUGAR, the Canadian Ambassador stated his concerns about the direction of this bill:

> The direction of the 2002 Farm bill is counterproductive to the efforts of both Canada and the United States to achieve shared objectives for global agricultural trade reform. . . . Both the House and Senate versions of the Farm bill call for significant increases in spending on trade-distorting forms of support. It is also a concern that U.S. legislators are considering reinstating abandoned production distorting subsidies (e.g., honey), and extending them to new commodities, such as peas and lentils.

This policy of subsidizing wealthy farming interests will have ripple effects throughout the developing world by stimulating overproduction and further driving crop prices down on world markets.

This farm bill already approaches $200 billion over 10 years, but when it is said and done, the final cost will be much higher not only for the American taxpayer who must foot the bill but for the poor nations across the globe.

I have not seen in recent memory the unanimity as expressed by various newspapers across this country—the Washington Post: ''This Terrible Farm Bill'' and the Washington Post: ''House Farm Vote on Farm Bill Carries Global Consequences.'' The Wall Street Journal, in their own reserved, understated way call it ''The Farm State Pig-out'' and the Atlanta Journal: ''Farm Legislation Illustrates Worst In Corporate Welfare Reform.''

With President Bush and Senator TOM DASCHLE pushing the new farm bill, voters must understandably be lured into believing this is a welcome sign of bipartisanship in our Nation's Capital. It is bipartisan already but hardly welcome. This is nothing more nor less than pure porkbarrel spending, enough to keep partisans on both sides of the aisle happy. Despite public outcry and outrage at such profligacy, the largest corporate welfare reform program in our country is now all but a done deal—it is a done deal.

''How to Keep 'Em Down on the Farm: Subsidies; Congress: In Tribute to Agriculture lobbys' Clout, bill bumps funding 70%.''

Says the St. Paul Pioneer Press: ''A Three-Way Deal: Taxpayers Foot Farm Bill.''

Says the Washington Post: ''Show down on subsidies.'' Washington Post, May 2, 2002:

> The farm bill that goes to the House floor for a final vote today is coming under attack from U.S. trading partners, with some experts warning that it could severely damage the economies of poor countries and set back the Bush administration's efforts to strike free-trade agreements.
>
> ''This is an appalling signal to the world and the farm bill is very, very bad for the international agriculture.'' Warren Truss, Australia's Agriculture Minister, was quoted saying on his country's national radio network. The United States, he said, ''is telling other people to lower subsidy levels but not doing the same thing itself.''

Before I conclude I would like to express my gratitude to my distinguished colleague, Senator LUGAR, a man of virtue and reason with respect to our Nation's agricultural policies, for the strong stance opposing this farm bill agreement. He alone acted in principled fashion for this Senate body, first by offering a true reform proposal for farm policy during Senate debate

which would have substantially reduced Federal farm payments and directed assistance on a needs-based approach. He boldly proposed to phase out cherished sugar, peanuts, and dairy subsidies. He also suggested that Federal assistance is more appropriately focused to those farmers who genuinely need assistance. As a farmer himself, he wisely recognized the fallacy of unlimited and unchecked farm subsidies and as demonstrated by withholding his approval on this final conference agreement. I applaud him for his brave battle against entrenched farming interests.

It is easy for me to vote and speak against this bill. It is not so easy for Senator LUGAR. I think he has displayed courage and wisdom and people will grow to regret, over time, that we did not heed his words and respect and vote for his proposals. That is because we have a train wreck coming and that train wreck is going to cost the American taxpayers a great deal in both quality of products as well as price.

I, obviously, will vote against the farm bill, and I do not think this is one of the Senate's finest hours.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona has consumed 15 minutes. The ranking member controls 15 minutes; the chairman of the committee controls 4.5 minutes. Who yields time?

Mr. LUGAR. Mr. President, I yield myself 1 minute.

I thank the distinguished Senator from Arizona for his thoughtful tribute. I appreciate very much the strength of his statement today. It was timely and important for all Americans to hear.

I yield the floor. I anticipate perhaps one more speaker on our side. I reserve our time.

The PRESIDING OFFICER. Who yields time? Does the Senator from Iowa yield time?

Ms. CANTWELL addressed the Chair.

The PRESIDING OFFICER. The Senator from Washington.

Ms. CANTWELL. Mr. President, I ask unanimous consent to address the Senate for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Ms. CANTWELL are printed in today's RECORD under ''Morning Business.'')

The PRESIDING OFFICER. Who yields time?

Mr. LUGAR. Mr. President, how much time remains on both sides?

The PRESIDING OFFICER. The Senator from Indiana has just under 15 minutes. The Senator from Iowa has 4½ minutes.

Mr. LUGAR. The speaker I anticipated is not present and therefore I am delighted to hear from the Senator from Florida.

The PRESIDING OFFICER. Who yields time?

Mr. NELSON of Florida. I ask unanimous consent to speak for 5 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. NELSON of Florida are printed in today's RECORD under ''Morning Business.'')

Mr. LUGAR. Mr. President, I note there is no speaker on our side. I anticipated that perhaps the distinguished Senator from Oklahoma, Mr. NICKLES, would be available. Therefore, I would suggest that a quorum call be instituted—I suspect the time has already left on the Democratic side, and there would be 13 minutes remaining on our side—and that this be allowed to run out. In the event that Senator NICKLES appears, he might utilize the remainder of that time. Otherwise, we will come to the conclusion of the debate on the farm bill today and will be prepared for another vigorous session tomorrow.

I suggest the absence of a quorum, and ask that the time be charged to our side. There will not be any time left. Otherwise, I suggest equal charging.

The PRESIDING OFFICER (Ms. CANTWELL). Four and one-half minutes remain to the Senator from Iowa.

Mr. LUGAR. I suggest the time be charged—I delay my request for a unanimous consent request and ask that the time remaining on our side be yielded to the distinguished Senator from Oklahoma.

How much time remains on our side?

The PRESIDING OFFICER. Twelve and one-half minutes.

Mr. LUGAR. I yield 12½ minutes to the Senator from Oklahoma.

Mr. NICKLES. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NICKLES. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NICKLES. Madam President, I wish to come to the floor and make a few comments on the agriculture bill. First, I wish to compliment the Senator from Indiana, Mr. LUGAR, for his statement today, for his comments, and for his very astute recognition of some of the problems we have in this bill.

I want to be in favor of an agriculture bill. I want to be in favor of a farm bill that is going to help farmers. Unfortunately, I think this bill fails that test.

I look at this bill from a lot of different angles. I want to help agriculture. I think every Member in this body wants to help agriculture. But is this bill the right way to do it?

If we pass legislation that is going to greatly encourage production and have the Government paying for a lot of it and then drive prices down, are we helping agriculture in the long run? I am afraid maybe we will be hurting agriculture in the long run.

As a matter of fact, there is a study which is just coming out that talks about the price of wheat going down for the next 5 or 6 years as a result of this bill. This bill is a 6-year bill. We are just trying to get a handle on the cost of it. There is a new estimate coming from the Congressional Budget Office that estimates the cost of this bill greatly exceeds the estimates by a total of about $9 billion.

The level we were negotiating with the President on was $73 billion over present law over 10 years. Now we have the Congressional Budget Office coming up and saying we find this is another $9 billion on top of the $73 billion, for a total of right at $83 billion over and above present law.

In other words, we are saying present law wasn't doing enough to help agriculture. So there was a bipartisan agreement with President Bush that would put in an additional $73 billion to help agriculture. That was done. But evidently that wasn't enough because a new scoring came out indicating this busts that budget by an additional $9 billion. That is one reason to be opposed to it.

Then I look at what happened on the cost limitation. We passed an amendment in the Senate in which I and others participated. It passed with 66 votes. We said we want to have a payment limitation. Payment limitations have grown dramatically. Years ago, we had payment limitations of $40,000 or $50,000 per farmer. Yes, we found that different people were skillful in their evasion of those limits. They had multiple payments in their families and pyramid schemes. We tried to tighten that up.

Anyway, we had bipartisan support for an amendment, 66 votes that said: We want to have a limit of $275,000, and that would include certificates. We adopted that with a big vote. We sent it to conference. And we come back to find the limit is not $275,000, it is $360,000. So it increased substantially over what we passed in the Senate. And, oh, incidentally, in the $360,000, they forgot to count certificates.

Not to get too complicated, but any farmer who is listening to this knows what I am talking about. It means there is no limit. It means the difference between the loan rate and the price you receive will not count towards your total payment limitation of $360,000, so you could have payments of $1 million.

Senator LUGAR talked about, for his State, looking it up on the Web site you could see that this would only apply to six or seven farmers. I looked for my State, and it would apply, frankly, to more than that. But I find out there are a lot of farms where those payment limitation numbers, that are posted by the environmental group, greatly exceed that, because they run things through co-ops and other organizations that do not show the payment limits, that are not attributing those to individual families.

So the point is, the Senate adopted an amendment that said: Let's have a payment limitation of $275,000. The bill comes back with $360,000, and it has no limitation whatsoever on the certificates.

Then we have to look at the crops.

I heard Senator LUGAR say earlier today: Does it make sense to have a program on cotton that has a current market price of 31 or 32 cents, and we have a target price of 72 cents? The difference is 41 cents. That 41 cents is 131 percent of the market price. The Government is going to be paying more in subsidy than what the market is. The market is 31 or 32 cents, and the Government is going to be paying basically the difference. The Government is going to be paying 41 cents for a total payment to the farmers of 72 cents per pound. That is an enormous subsidy in cotton.

What about in rice? The average price is about $4.20 per hundredweight. The target price for rice is $10.50. So the Government payment is going to be $6.30, about 150 percent of the market price.

Does that make sense? And if you have the Government paying so much more than what the market price is, we are greatly encouraging production of these commodities well in excess of what the market says we should be doing, so we will be drowning in surpluses, keeping the prices low.

What about in wheat? In my State, we grow a lot of wheat. The market price and the loan rate are just about the same. But the target price is $3.86. The market price is about $2.80. So it is a difference of $1.06. That is what the Government is going to pay. The Government is going to be paying 38 percent more than what the market price is for wheat.

Compare that to current law. It is about 16 percent of the market price. Under current law, the Government pays about 46 cents per bushel in wheat. Under this bill, we will pay $1.06 per bushel. So that is over twice as much Federal subsidy per bushel.

You might say that is great for your State. It may benefit a few of our wheat farmers, but the net result is, collectively, nationally, what we are going to be doing is encouraging a lot of overproduction, and prices will continue all. As estimated by this one study, prices will fall. Does that help wheat farmers in the long run? I do not think so. I do not think it is going to help them. The net result is, we are going to be putting a lot of people into bankruptcy.

Look at corn. For corn, you have a market price of $1.90, you have a target price of $2.60—a differential of 70 cents. That is 37 percent of the market price. The Government would be paying 37 percent more than what the market would dictate we should be paying in corn.

Compare that to present law. The differential is 26 cents. So right now the Federal Government is paying a 26-cent differential on the market price of corn. That is 14 percent. That more than doubles now to 70 cents. So we are going to have more corn production. Somebody might say that might be great for corn farmers. But guess what. You encourage a lot of production in excess of demand and you are going to be drowning in surpluses, and prices are going to fall.

So Government payments are going to go up. We are increasing a Government dependency system here that is broken. It needs to be fixed. But instead of fixing it, we are making it worse. These Government payments are going to get bigger and bigger, and maybe people will see, on Web sites, how much people are really making and come back to Congress and say: Wait a minute. Fix it. You should not be paying a few people—and it is exactly a few people who are really going to be the beneficiaries.

What we will have is a situation where the smaller farmers will be bought up by the big ones. The smaller farmers are not going to be able to make it. So this is going to exacerbate and accelerate the move from small farms to large corporate megafarms, and the megafarms are going to get the bulk of the money.

I think it has already been reported that the upper 10 percent of farms are getting two-thirds of the cash payments out of agriculture. That figure will increase. It will soon become where the upper 5 percent of farms will be getting 70 percent of all the money coming from this program; and maybe that figure will even climb from there.

Madam President, I ask unanimous consent that a farm bill payment comparisons table and a farm bill spending table be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FARM BILL PAYMENT COMPARISONS

	Wheat		Corn	
	Current	Conf	Current	Conf
2001/2002 season average price	2.80	2.80	1.90	1.90
Loan rate	2.58	2.80	1.89	1.98
Target price	n/a	3.86	n/a	2.60
Direct payment rate	0.46	0.52	0.26	0.28
Loan deficiency payment	.....	.....	.....	0.08
Counter cyclical payment rate	.....	0.54	.....	0.34
Total payment	0.46	1.06	0.26	0.70
As a percent of market price	16%	38%	14%	37%

FARM BILL PAYMENT COMPARISONS

	Rice		Cotton	
	Current	Conf	Current	Conf
2001/2002 season average price	4.20	4.20	0.3140	0.3140
Loan rate	6.50	6.50	0.5192	0.5200
Target price	n/a	10.50	n/a	0.7240
Direct payment rate	2.04	2.35	0.0556	0.0667
Loan deficiency payment	2.30	2.30	0.2052	0.2060
Counter cyclical payment rate	.....	1.65	.....	0.1373
Total payment	4.34	6.30	0.2608	0.4100
As a percent of market price	103%	150%	83%	131%

FARM BILL SPENDING—OLD BASELINE 'VS' NEW BASELINE

Year	Cost under April 2001 budget resolution	Cost under March 2002 baseline	Difference
2002	2.5	2.5	.....
2003	7.2	8.5	1.3
2004	8.8	10.4	1.6
2005	9.3	10.7	1.4
2006	8.9	10.1	1.2
2007	8.5	9.5	1.0
2008	7.2	8.1	0.9
2009	7.4	8.1	0.7
2010	6.9	7.6	0.7
2011	6.8	7.3	0.5
Total	73.5	82.8	9.3

Mr. NICKLES. So there are lots of reasons to have concerns about this bill. I have mentioned the cost. I mentioned the enormous payments that would be made to some. I mentioned the fact that the total cash payments to farmers is really nonexistent because we did not count certificates. And then I look at the fact that we are getting agriculture in some areas where it really does not belong.

What in the world are we doing with an onion program? What are we doing with subsidies for apples? And what are we doing reinstating a honey program that we finally stopped? Why are we reinstituting a program for wool and mohair, which was created decades ago, and it really is not necessary to have a national program?

Why are we subsidizing the purchasing of all kinds of commodities just to prop up prices? Again, Federal Government intervention is like we do not believe in markets. And when we are talking about trade—and we have a trade bill on the floor of the Senate that we will be considering in a couple days—it is like, oh, yes, half of our trade negotiations are stuck in agriculture. For those who have not followed this issue, agriculture is very difficult to deal with in trade negotiations. We have just made it a whole lot worse.

When we tell people, let's open up markets and we can compete—and we can compete in agriculture anywhere in the world—with this bill we are making it very difficult for our people. Those with whom we trade say: Oh, yes, you say we shouldn't subsidize our farmers so much, but look how much you are subsidizing your farmers.

So you are going to see greater and greater protectionism and greater and greater subsidies on both sides of the Atlantic—frankly, all across the world—with more Government dependency everywhere.

Who will be the real losers? Certainly, the poor and developing countries will be losers because they cannot afford to get into this kind of battle. And, frankly, the American taxpayers will be the losers as well because we will be writing a whole lot of checks to produce commodities that we do not need and that the market is saying we do not want. We produce so much more than we can consume, so we have to export.

This bill is going to make it more difficult to export. So we are going to

be drowning in our own surpluses. Market prices will fall further, and Government payments will go up. That is the net essence of this bill. I hate to say that. I wish that were not the case.

I have supported agriculture bills in the past, unlike some of our colleagues in this Chamber. I would like to support an agriculture bill this year. Unfortunately, I see this bill as taking a giant step in the wrong direction, a direction where people will not be farming, due to what the demand or the marketplace is dictating, but, frankly, a marketplace dictated by Government, Government subsidies, Government largesse, and, ultimately, Government control. This Senator believes that is a mistake.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. NICKLES. I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. NICKLES. I suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Madam President, how much time is remaining?

The PRESIDING OFFICER. Four and one-half minutes.

Mr. HARKIN. On this side. How much time on the other side?

The PRESIDING OFFICER. There is no time remaining.

Mr. HARKIN. Madam President, I think all has been said that needs to be said, at least for today, on this farm bill. I guess we are going to have 6 more hours of saying it all over again tomorrow. So I see no need to stay here any longer.

I yield back the remainder of our time.

The PRESIDING OFFICER. The Senator's time is yielded back.

Mr. HARKIN. Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent that the Senate now proceed to a period of morning business with Senators allowed to speak therein for a period not to exceed 5 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE EDUCATION BUDGET

Mr. KENNEDY. Madam President, I thank the Senator from Iowa for yielding the time. This is extremely important legislation. As one who from time to time manages floor legislation, I recognize that it is important to keep the focus and attention on the pending subject matter.

But I want to take a moment of the Senate's time to talk about another issue which is important to the families in this country; that is, our education budget.

I take this moment now because we have had a series of actions by the administration in recent days that brought new focus and attention on the issue of education funding.

Money, in and of itself, is not going to answer the problems we are facing in this country on any public policy issues, and it will not in the area of education. But what we had last year was an education reform program that was worked on by Republicans and Democrats alike, the No Child Left Behind Act. Prior to passage of the new law, there was criticism of the federal education programs, that they were not resulting in the children developing academic skills and succeeding in our school systems across this country, and there was also a very fundamental understanding; and that is, while money alone will not solve the problem, reform alone will not solve the problem. If you bring reform together with resources, you are going to fulfill a recipe for progress for children in this country.

The reforms, which we spelled out in the new law, are raise standards for students and teachers and hold schools and school districts accountable for results. It requires a great deal from the students, a great deal from the schools, a great deal from the parents, a great deal from the local communities, additional responsibilities by the States. We in Washington told them that we were going to be a partner in this endeavor to try to really make a difference in enhancing academic achievement.

That was an endeavor on which many of us signed off. Many of us, who have been here for a period of time, have raised some serious questions about the seriousness with which our Republican friends are really committed to the areas of education and education reform. I remember, after we saw Republican leadership take over in the Senate, as a result of the elections of 1994, one of the first actions they undertook was a rescission of some $1.7 billion in education funding that had already been appropriated for some of the neediest children in this country. We fought that. We fought it and fought it, but they had some success in rescinding funding. It was the same year the Republican leadership announced they wanted to abolish the Department of Education.

I think most of us in this body wanted the Department of Education, for one simple and fundamental reason; that is, every time the President brings a Cabinet together, we want to have someone at that table who is the clear, powerful voice for children and enhanced education and investing in the children of this country and their education. That is what the a Secretary of Education should do. But they wanted to abolish the Department of Education. They said we could have many other Departments, and money in other areas of public policy. But we resisted, and we saw that the Department was not abolished.

Then, if you can believe, in 1995, in the Republican budget resolution that came over from the House, they tried to effectively eliminate over $18 billion in student loans support over a 7-year period. We were able to resist that, just as we resisted Republican efforts in 1981, when President Reagan initiated what they call an origination fee on student loans, an additional kind of payout. We were able to reduce that in a significant way. But students still pay too much up front to borrow money to go to college.

This is the record over a very considerable period of time. Three years ago, we had the battle on the floor of the Senate on elementary education, and there was a move to eliminate and support for 800,000 homeless children, 800,000 migrant children, 800,000 immigrant children who were going to be American citizens. The Republican leadership did not want any coverage for them.

The American people have a certain hesitancy and a certain concern about the legitimacy of the other side's real interest in investing in education. The list of anti-education proposals from the other side continues to go on.

Just ten days ago, we saw the proposal by one of the leading authorities in the administration, Budget Director Mitch Daniels, who suggested a new way to shortchange students pursuing their college education in this country, by effectively denying them the opportunity to go for the lowest-interest rates on student loans that long have been available to them. The Administration sought to require that students pay higher interest rates on their loans, rates which would mean, for the average student, more than $3,000 in additional expenses over the life of their loan. If that loan was $17,000, and repayment were stretched over 30 years, it would be an additional $10,000 in costs.

That is a very clear indication of how the Administration views support for higher education for students in this country.

Now, we find that the President is out traveling across the country talking about the importance of funding education, understanding that we need reform and that we also need resources.

Just yesterday, this is what the President said in Michigan:

> The Federal Government has responsibilities. Generally, that responsibility is to

write a healthy check, and we did so in 2002—$22 billion for secondary and elementary education. It's a 25 percent increase. We've increased money by 35 percent for teacher recruitment, teacher retention, and teacher pay.

I wish that had been their proposal, but it was not. It was not. Their proposal was for a 3.5 percent increase, basically enough only to cover inflation despite the tremendous needs beyond inflation that our schools have. All of the difference between the 3.5 percent and what the President identified here was the result of Democratic leadership in the Senate and the Appropriations Committee to get that increase.

Let's be fair. Let's be honest. Let's be candid in terms of it. That is the basic and bottom line. And all we have to do is say: Well, if this really was their proposal last year, what happened to it this year? This year, the administration proposes a 2.8 percent increase, again inflation only. Why on the one hand would you go out and tell people in Michigan that you provided $22 billion for elementary and secondary education, a 25 percent increase, and a 35 percent increase for teachers, recruitment for teachers for one year, and now come on back and propose a 2.8 percent increase.

Who is fooling whom? It was 3.5 percent last year, and the Democrats raised it to the figures the President talked about, and this year it is 2.8 percent. That is what is in the budget. That is what is in the budget numbers.

It gets worse. Look at what the administration's budget is for the future, according to the last budget conference report. It provides virtually zero new money for education for the next 8 years, all the way to 2011. They put forward funding to cover the cost of inflation, but not a nickel above it. There it is, as shown on the chart, for the next 8 years. For the next 8 years: a zero increase. We do not hear them talking about that. We do not hear the President or the Department of Education or anyone for the President denying this. It is because that happens to be it.

What we are saying is that we believe—believe deeply—that when you have an over $2 trillion budget and you say education is your most important priority, outside of national security and the war on terrorism, we think you can do better on education than this. That is what the Democrats say. And that is what we want the American people want. An over $2 trillion budget, and they can't do anything better than a 2.8 percent increase. It doesn't even meet the challenges of inflation and growing school enrollment, never mind all our unmet school needs.

So the schoolteachers who are out there now trying to upgrade their skills, as we have effectively required in last year's reform legislation, so that we can have a well-qualified teacher in every classroom, they are going to be denied the support. 18,000 fewer teachers who received training last year budget will go untrained next year under the administration's budget.

Those children, whom we are asking to meet higher standards, who need that extra help and assistance in the after-school programs with tutorials, they are going to find the doors are going to be closed to them in the after-school programs. 33,000 children who received after-school learning opportunities will be pushed out of programs next school year under the administration's budget.

Why is it that at a time when the country has come together, and there has been a great hullabaloo about the signing of the No Child Left Behind Act—and I participated in it, and welcomed the opportunity, as others did in this body, to see that we were going to give national focus and attention on the issues of education—we are pulling the rug out from underneath this effort? Are we expecting that schools reform will be a success on a tin cup budget? It simply cannot be done. Every schoolteacher, every parent understands that. Every school board member, every principal, every superintendent understands it.

If we are going to leave no child behind, we cannot accept the Administration's budget that provides services to just over a third of all the needy children eligible for Title I assistance. They leave almost 6 million children behind. The Administration wanted to title our bipartisan school reform bill the No Child Left Behind Act. The legislation laid out a glide path of funding so that we would provide supplemental services for every needy child. That is what that legislation stated. That is what the President signed. But you don't get there with this budget.

What we are basically talking about here is whether we are going to get the qualified teachers in underserved areas, areas with the highest incidence of dropout rates among Hispanic Americans and the highest number of unqualified teachers. That does not mean those teachers who are working today under extremely challenging and difficult conditions don't want to be a part of this whole effort to upgrade skills. They want to be. Give them a chance. Give them a fighting chance.

That is what last year's bill sought to do. It sought to give them a chance for certification. Give them a chance for training. Give them a chance for upgrading their skills. We have seen where it has been done. It has been done down in North Carolina. It is being done in a handful of other States. We believe the Nation ought to be about it. That is the policy that last year's bipartisan legislation committed us. That is what we are not living up to.

I hope we can try to get back to what we committed ourselves to and what we are fighting for here today. We have the opportunity at this time to try to breathe new life into the pledge to leave no child behind. We still have the appropriations process to go through. We welcome a President who says: All right. We have looked through these figures. We know we are fighting a war on terrorism. We know we are funding homeland security. But by God, at the greatest times of American history, we have not only fought overseas but we have invested here at home. The place to start off that investment is going to be here in the area of education. We are going to support those past efforts, those bipartisan efforts and make sure that the legislation comes to life with an infusion of added and desperately needed resources.

We are going to continue to make our presentation, continue to make this case day in and day out. We want to tell the parents in this country that when we were a part of voting for that legislation to enhance academic achievement and accomplishment, we said it was a national priority and we meant it.

This administration's budget does not make education a national priority. So, we are going to fight for those families. We are going to fight here on the floor. We are going to fight during the appropriations process. We will take on the administration. But we are not going to leave the children of this country behind.

ENRON MARKET MANIPULATION

Mrs. FEINSTEIN. Madam President, this morning I sent a letter to the Attorney General asking him to institute a criminal investigation against Enron and other energy companies. I will read that letter into the RECORD.

The letter says:

DEAR ATTORNEY GENERAL ASHCROFT: I am writing to ask that you institute a criminal investigation to determine whether federal fraud statutes or any other laws were violated by Enron and other energy companies engaged in energy trading and delivery of natural gas and electricity to the Western Energy Market in 2000 and 2001.

In January, during a hearing before the Energy Commission I asked Patrick Wood, Chairman of the Federal Energy Regulatory Commission (FERC), to investigate whether Enron manipulated prices in the Western Energy Market. The enclosed documents released by FERC indicate that Enron was not only manipulating prices in the West, but also engaged in a number of calculated strategies such as ''Death Star,'' ''Fat Boy,'' and ''Get Shorty'' to either receive payment for energy not delivered or increase price. In my book, this is outright fraud.

Since Arthur Andersen (the entire company) has been indicted by the Justice Department for shredding documents, it seems to me that Enron is at least as culpable, if not more so, for creating certain schemes to perpetuate acts of fraud on consumers under the guise of corporate strategies.

Because UBS Warbug has purchased Enron's trading entity, I am particularly concerned that the same manipulative trading strategies may continue to be in place today. I ask that you launch a thorough investigation into this matter which may well involve other energy companies that delivered energy into the Western Energy Market in 2000 and 2001 and continue to do so today.

Thank you for your immediate attention to this matter.

In the last 2 years I have listened to my colleagues, to FERC, and to energy companies tell me that the California energy crisis was caused by inherent problems in California.

I have never disagreed that California's flawed energy deregulation laws helped precipitate an energy crisis. But I have also always believed that energy companies took advantage of California and the rest of the West to manipulate the market and to drive up prices. There is simply no other way that energy costing $30 a megawatt hour at one time, a few days later could cost $350 a megawatt hour.

On March 7, one of my colleagues in this esteemed House said the following on the Senate floor to justify opposition to our futures derivatives amendment:

> I have seen no evidence—in fact I will point out that Chairman Greenspan has seen no evidence—that derivatives by Enron, or by anybody else, had anything to do with the energy spikes in prices in California.

So I would ask my esteemed colleague to read these documents which are today on the Federal Energy Regulatory Commission's Web site and tell us if he can still say that.

These documents, released yesterday, are nothing short of astonishing. They discuss strategies with popular names such as Death Star and Get Shorty to describe in detail how energy prices can be manipulated. And then there is a document, by a law firm, Brobeck, which attempts to justify the strategies.

I am not shocked to learn that this had occurred. I have been saying this for a long time now. But the arrogance of documenting such illicit and underhanded behavior, and using popular titles for it, I think speaks for itself.

Make no mistake about it, this is a smoking gun.

I ask unanimous consent these memoranda be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BROBECK, ATTORNEYS AT LAW.

As part of our preparation for the various investigations and litigation actually and potentially facing EPMI in connection with the California energy market, Jean Frizzell, Barrett Reasoner, Mike Kirby and Gary Fergus spent several full days over the past few months at EPMI for the purpose of learning and understanding more about the data, methodology, the various strategies used by the traders and the implementation of those strategies. This is a highly complicated subject matter and all of us are still learning.

We used as our starting point the Preliminary Memorandum dated December 8, 2000, which we understand was prepared as the first step in educating you and outside counsel about EMPI trading practices. The Preliminary Memorandum was written by Steve Hall, an associate on loan from the Stoel Rives law firm, and co-authored by Christian Yoder, the in-house counsel at EMPI. Over the course of the past month, we have spent a fair amount of time with a number of traders. In some instances, we met the same traders more than once to try and understand the various practices. On January 11th, we spent another full day with Tim Belden, chief trader for EMPI in Portland going over the strategies that have been identified. Here is our summary of the status of our further investigation and present analysis of the EMPI trading practices:

OVERVIEW

The California energy market during calendar year 2000 was an incredibly complex and dynamic environment. Weather, supply shortages, physical limits and market volatility contributed to this environment. During the past month, we have had several outside law firm lawyers, each with varying degrees of experience with California electricity market, work together with the EPMI traders to understand the market and the practices. From time to time, the understanding of and interpretation by the lawyers interviewing the same traders about the market and the trading practices were inconsistent. When that happened, we would go back to the traders to try and gain a common understanding of the particular market and trading strategy. At this point in the process, we realize that there are very few clearly defined trading strategies. Depending upon the particular circumstances of the day, trading strategies were modified and applied in response to EPMI's portfolio, market conditions, the individual trader's understanding of them, and the individual trader's preference within a large overall framework. In part, this is because trading is done 7 days a week for many different schedules (e.g. PX day ahead, PX day of, ISO hour ahead, ISO real time etc.

EPMI is only one of the many market participants. We do not have nearly enough information to gain a good understanding of all of the impacts other participants, and whatever their strategies might have been, had on the market. For these reasons, you should consider this a work in progress, rather than the definitive analysis of EPMI trading practices. We may learn that some of the conclusions we have reached will later turn out to be inaccurate. In fact, we learned during this process that some of other information contained in the Preliminary Memorandum, which resulted in some erroneous assumptions and conclusions, cannot be supported by the facts and evidence which are now known. In other instances, some statements in the Preliminary Memorandum understandably mixed trading strategies and schedules. In order to minimize the risk of confusing matters further, we have taken the additional step of having Tim Belden review this memorandum to see if we have accurately described the trading practices and to see whether he can spot any flaws in our analysis. We tried to follow the same format of the Preliminary Memorandum for easy cross reference.

''INCING'' LOAD INTO THE REAL TIME MARKET

''Incing'' was a slang name (short for ''increasing'') for a trading strategy used in response to the independently owned utilities (IOU) well known and documented strategy of significantly underestimating their load in the PX day ahead market. This practice by the utilities apparently occurred almost daily. Because the IOU's purchased their power through the PX day ahead market, the PX thus became their scheduling coordinator; the ISO's resulting schedules understated the load for the next day. The IOU practice of underestimating load artificially lowered the PX day ahead market clearing price. Incing served to partially counteract the reliability issues caused by this practice and, from the California consumer's perspective, appears to have been preferable to the alternative of selling outside of California. In addition, incing may have increased the actual guaranteed available supply of power in the California market depending upon the shape of the demand curve. Incing reduced demand in the ISO market, therefore reduced the ex post price and potentially lowered the overall cost to California consumers. When incing, EPMI was a price taker in the ISO ex post market.

DEATH STAR

Death Star was a slang name for a strategy that addressed congestion between northern and southern California. During certain periods, there are transmission limits between northern California and southern California on path 15 and path 26. It appears that the source of the congestion may have been the consistent underestimating of load by PG&E—the same underestimating referred to above. Because the demand was artificially lower in Northern California, it appears supply was trying to move to southern California. By using a combination of ISO approved scheduled counterflows and alternative non-ISO transmission lines, EPMI increased the transfer capability between the regions, reduced congestion, and utilized underused pathways to increase the overall supply of electricity in southern California. By virtue of using multiple transmission paths, EPMI took on financial risks, including having the transmission line derated, assessment of additional congestion charges, and liability for take or pay transmission charges on alternative transmission lines to execute the strategy.

Contrary to certain statements in the Preliminary Memorandum, congestion was relieved and energy did flow through otherwise underutilized paths.

LAND SHIFT

Load shift is a general term used to describe a variety of scheduling practices and trading strategies in the day ahead and hour ahead markets. One variation of load shifting involved scheduling ISO approved counterflows in the ISO day ahead market, ISO hour ahead market or both. Generally speaking, as an alternative to purchasing power in the north. EPMI purchased power in the south and counterflowed that power to the north. Such transactions had the effect of providing congestion relief in the ISO day ahead market or the ISO hour ahead markets. These transactions placed EPMI at financial risk for the differences in price between the regions.

Another category of load shifting involves shifting the load on paths for which EPMI purchased firm transmission rights. This category was briefly discussed in the Preliminary Memorandum. We have learned more about his load shifting strategy since the Preliminary Memoranda was written. As the result of several in depth interviews with the traders and review of the public market surveillance reports available in the public and all market participants, if is apparent that the assumptions and conclusions contained in the Preliminary Memorandum were inaccurate. First, in hindsight, it now appears likely that the load shifting strategy, without knowing the impact of other market factors, sometimes may have reduced the prices in the north while leaving prices in the south unchanged or minimally impacted. Second, it appears that the estimate of profits from this load shifting strategy in the Preliminary Memorandum was

vastly overstated and indeed confused. It would appear that the source of the confusion may have been that the Preliminary Memorandum reported the total profit attributable of the EPMI firm transmission rights on path 26, as reflected in ISO public documents, as opposed to any calculation of the profit of this particular strategy.

GET SHORTY

''Get Shorty'' was the slang name for a trading strategy involving the provision of ancillary services in the PX day ahead and ISO hour ahead markets. EPMI committed to providing the ancillary services in the PX day ahead market and covered its position by purchasing those services in the ISO hour ahead market. Accordingly, EPMI actually purchased the services necessary to provide ancillary services if called upon to do so. In fact, the ISO regularly called upon EPMI for ancillary services that were provided. Based upon the information we have so far, there was only one incident where EPMI failed to cover its position. In that single instance, EPMI promptly offered to, and ultimately did, return the payment received for the ancillary services that were not provided. Accordingly, the strategy did not impact the reliability of the grid. This strategy, however, did place EPMI at financial risk. On a number of occasions, It appears the cost to cover exceeded the amount received in the day ahead market and EPMI provided services to the ISO at a loss.

The Preliminary Memorandum incorrectly assumed that the information provided to the ISO was inaccurate. It now appears that, consistent with daily ISO practices, that EPMI did not specify the source of the ancillary services at the time of sale.

RICOCHET

''Ricochet'' was the slang term for a trading strategy that existed because EPMI was not permitted to make adjustment bids in SC to SC (scheduling coordinator) trades due to limitations in the ISO software systems. Ricochet served the dual purpose of allowing for adjustment bids and opening up market options for EPMI including the supplemental and bilateral markets. By using this strategy, EPMI was at financial risk if the PX price exceeded either the supplemental or bilateral market price. Furthermore, the ISO software limitation forced EPMI to incur additional costs, export charges, ancillary services on exports and line losses on imports.

Ricochet appears not to have been a strategy that was used to a significant extent when compared to EPMI's overall portfolio. It appears that other market participants with control areas adjacent to California and access to extremely flexible generation resources may have relied more extensively on this strategy.

At the present time, EPMI faces its own software limitations in implementing ISO approved adjustment bids in SC to SC transactions.

NON-FIRM EXPORT

This was a trading practice that involved scheduling counterflows three hours ahead of the time energy would flow. The schedule counterflow had the likely effect of reducing the congestion charge on the scheduled path. Under this strategy, EPMI qualified for the congestion relief payment two hours before the scheduled flow. Ultimately, EPMI did not flow the power. Based upon the information we have, this practice does not appear to have had any demonstrable impact on either the PX price or the ISO ex post price. However, in August 2000, the ISO directed that the practice be discontinued. The EPMI traders with whom we spoke confirmed that EPMI has complied with that mandate.

SELLING NON FIRM ENERGY AS FIRM ENERGY

This was a trading strategy that was occasionally used in southern California to allow for the import of power that would otherwise not be available. The net effect of this practice, in conjunction with other market factors, was to increase the overall supply with no apparent impact on PX price. EPMI was subjected to financial risk in that if the non-firm power was cut, EPMI would have to cover the energy cut by purchasing that power in the ISO market at the ex post price.

At this time, it appears that the net result of this practice was to bring additional supply into California.

SCHEDULING ENERGY TO COLLECT THE CONGESTION CHARGE II

The net effect of this strategy was to schedule counterflow thereby reducing congestion in hour ahead market. This was a high risk strategy because EPMI was exposed to the ex post market price that could exceed the congestion price. This strategy could have potentially lowered the congestion charge depending upon a wide variety of other market factors.

STOEL RIVES LLP,
December 8, 2000.

To: Richard Sanders
From: Christian Yoder and Stephen Hall
Re: Traders' Strategies in the California Wholesale Power Markets/ ISO Sanctions

CONFIDENTIAL: ATTORNEY/CLIENT PRIVILEGE/ ATTORNEY WORK PRODUCT

This memorandum analyzes certain trading strategies that Enron's traders are using in the California wholesale energy markets. Section A explains two popular strategies used by the traders, ''inc-ing'' load and relieving congestion. Section B describes and analyzes other strategies used by Enron's trades, some of which are variations on ''inc-ing'' load or relieving congestion. Section C discusses the sanction provisions of the California independent System Operator (''ISO'') tariff.

A. THE BIG PICTURE

1. ''Inc-ing'' load into the real time market

One of the most fundamental strategies used by the traders is referred to as '''inc-ing' loan into the real time market.'' According to one trader, this is the 'oldest trick in the book' *and,* according to several of the traders, it is now being used by other market participants.

To understand this strategy, it is important to understand a little about the ISO's real-time market. One responsibility of the ISO is to balance generation (supply) and loads (demand) on the California transmission system. During its real-time energy balancing functions the ISO pays/charges market participants for increasing/decreasing their generation. The ISO pays/charges market participants under the schemes: ''instructed deviations'' and uninstructed deviations.'' Instructed deviations occur when the ISO selects supplemental energy bids from generators offering to supply energy to the market in real time in response to ISO instructions Market participants that increase their generation in response to instructions (''instructed deviation'') from the ISO are paid the ''inc'' price. Market participants that increase their generation without an instruction from the ISO (an ''uninsured deviation'') and paid the ex post ''dec'' price. In real-time, the ISO issues instructions and publishes ex post prices at ten-minute intervals.

''Inc-ing load' into the real market'' is a strategy that enables Enron to send excess generation to the imbalance energy market as an uninstructed deviation. To participate in the imbalance energy market it is necessary to have at least 1 MV of load. The reason for this is that a generation cannot schedule energy onto the grid without having a corresponding load. The ISO requires scheduling coordinators to submit balanced schedules, i.e., generation must equal load. So, if load must equal generation, how can Enron end up with excess generation in the real-time market?

The answer is to artificially increase (''inc'') the load on the schedule submitted to the ISO. Then, in real-time, Enron sends the generation it scheduled, but does not take as much load as scheduled. The ISO's meters record that Enron did not draw as much load, leaving it with an excess amount of generation. The ISO gives Enron credit for the excess generation and pays Enron the dec price multiplied by the number of excess megawatts. An example will demonstrate this. Enron will submit day-ahead schedule showing 1000 MW of generation scheduled for delivery to Enron Energy Services (''EES''). The ISO receives the schedule, which says ''1000 MW of generation'' and ''1000 MW of load. The ISO sees that the schedule balances and, assuming there is no congestion, schedules transmission for this transaction. In real-time, Enron sends 1000 MW of generation, but Enron Energy Services only draws 500 MW. The ISO's meters show that Enron made a net contribution to the grid of 500 MW, and so the ISO pays Enron 500 times the dec price.

The traders are able to anticipate when the dec price will be favorable by comparing the ISO's forecasts with their own. When the traders believe that the ISO's forecast underestimates the expected load, they will inc load the real time market because they know that the market will be short, causing a favorable movement in real-time ex post prices. Of course, the much-criticized strategy of California's investor-owned utilities (''IOUs'') of underscheduling load in the day-ahead market has contributed to the real-time market being short. The traders have learned to build such underscheduling into their models, as well.

Two other points bear mentioning. Although Enron may have been the first to use this strategy, other have picked up on it, too. I am told this can be shown by looking at the ISO's real-time metering, which shows that an excess amount of generation, over and above Enron's contribution, is making to the imbalance market as an uninstructed deviation. Second, Enron has performed this service for certain other customers for which it acts as scheduling coordinator. The customers using this service are companies such as Powerex and Puget Sound Energy (''PSE''), that have generation to sell, but not native California load. Because Enron has native California load through EES, it is able to submit a schedule incorporating the generation of a generator like Powerex or PSE and balance the schedule with ''dummied-up'' load from EES.

Interestingly, this strategy appears to benefit the reliability of the ISO's grid. It is well known the California ISOs have systemically underscheduled their load in the PXs's Day-Ahead market. By underscheduling their load into the Day-Ahead market, the IOUs have caused the ISO to have a call on energy in real time in order to keep the transmission system in balance. In other words, the transmission grid is short energy. By deliberately overscheduling load, Enron has been offsetting the ISO's real time energy deficit by supplying extra energy that the ISO needs. Also, it should be noted that in the ex post market Enron is a ''price taker,'' meaning that they are not submitting bids or offers, but are just being paid the value of the energy that the ISO needs. If the ISO did not need the energy, the dec price would quickly drop to $0. So, the fact that Enron was getting paid for this energy shows that the ISO needed the energy to balance the

transmission system and offset the IOU's underscheduling (if those parties own Firm Transmission Rights (''FTR'') over the path).

2. Relieving Congestion

The second strategy used by Enron's traders is to relieve system-wide congestion in the real-time market, which congestion was created by Enron's traders in the PX's Day Ahead Market. In order to relieve transmission congestion (i.e., the energy scheduled for delivery exceeds the capacity of the transmission path), the ISO makes payments to parties that either schedule transmission in the opposite direction (''counterflow payments'') or that simply reduce their generation/load schedule.

Many of the strategies used by the traders involve structuring trades so that Enron gets paid the congestion charge. Because the congestion charges have been as high as $750/MW, it can often be profitable to sell power at a loss simply to be able to collect the congestion payment.

B. REPRESENTATIVE TRADING STRATEGIES

The strategies listed below are examples of actual strategies used by the traders, many of which utilize the two basic principles described above. In some cases, the strategies are identified by the nicknames that the traders have assigned to them. In some cases, i.e., ''Fat Boy,'' Enron's traders have used these nicknames with traders from other companies to identify these strategies.

1. Export of California Power

a. As a result of the price caps in the PX and ISO (currently $250), Enron has been able to take advantage of arbitrate opportunities by buying energy at the PX for export outside California. For example, yesterday (December 5, 2000), prices at Mid-C peaked at $1200, while California was capped at $250. Thus, traders could buy power at $250 and sell it for $1200.

b. This strategy appears not to present any problems, other than a public relations risk arising from the fact that such exports may have contributed to California's declaration of a Stage 2 Emergency yesterday.

2. ''Non-firm Export''

a. The goal is to get paid for sending energy in the opposite direction as the constrained path (counterflow congestion payment). Under the ISO's tariff, scheduling coordinators that schedule energy in the opposite direction of the congestion on a constrained path get paid the congestion charges, which are charged to scheduling coordinators scheduling energy in the direction of the constraint. At times, the value of the congestion payments can be greater than the value of the energy itself.

b. This strategy is accomplished by scheduling non-firm energy for delivery from SP–15 or NP–15 to a control area outside California. This energy must be scheduled three hours before delivery. After two hours, Enron gets paid the counterflow charges. A trader then cuts the non-firm power. Once the non-firm power is cut, the congestion resumes.

c. The ISO posted notice in early August prohibiting this practice. Enron's traders stopped this practice immediately following the ISO's posting.

d. The ISO objected to the fact that the generators were cutting the non-firm energy. The ISO would not object to this transaction if the energy was eventually exported.

Apparently, the ISO has heavily documented Enron's use of this strategy. Therefore, this strategy is the more likely than most to receive attention from the ISO.

2. ''Death Star''

a. This strategy earns money by scheduling transmission in the opposite direction of congestion; i.e., schedule transmission north in the summertime and south in the winter, and then collecting the congestion payments. No energy, however, is actually put onto the grid or taken off.

b. For example, Enron would first import non-firm energy at Lake Mead for export to the California-Oregon border (''COB''). Because the energy is traveling in the opposite direction of a constrained line, Enron gets paid for the counterflow. Enron also avoids paying ancillary service charges for this export because the energy is non-firm, and the ISO tariff does not require the purchase of ancillary services for non-firm energy.

c. Second, Enron buys transmission from COB to Lake Mead at tariff rates to serve the import. The transmission line from COB to Lake Mead is outside of the ISO's control area, so the ISO is unaware that the same energy being exported from Lake Mead is simultaneously being imported into Lake Mead. Similarly, because the COB to Lake Mead line is outside the ISO's control area, Enron is not subject to payment of congestion charges because transmission charges for the COB to Lake Mead line are assessed based on imbedded costs.

d. The ISO probably cannot readily detect this practice because the ISO only sees what is happening inside its control area, so it only sees half of the picture.

e. The net effect of these transactions is that Enron gets paid for moving energy to relieve congestion without actually moving any energy or relieving any congestion.

3. ''Load Shift''

a. This strategy is applied to the Day-Ahead and the real-time markets.

b. Enron shifts load from a congested zone to a less congested zone, thereby earning payments for reducing congestion, i.e., not using our FTRs on a constrained path.

c. This strategy requires that Enron have FTRs connecting the two zones.

d. A trader will overschedule load in one zone, i.e., SP–15, and underschedule load in another zone, i.e., NP–15.

Such scheduling will often raise the congestion price in the zone where load was overscheduled.

The trader will then ''shift'' the overscheduled ''load'' to the other zone, and get paid for the unused FTRs. The ISO pays the congestion change (if there is one) to market participants that do not use their FTRs. The effect of this action is to create the appearance of congestion through the deliberate overstatement of loads, which causes the ISO to charge congestion charges to supply scheduled for delivery in the congested zone. Then, by reverting back to its true load in the respective zones, Enron is deemed to have relieved congestion, and gets paid by the ISO for so doing.

e. One concern here is that by knowingly increasing the congestion costs, Enron is effectively increasing the costs to all market participants in the real time market.

f. Following this strategy has produced profits of approximately $30 million for FY 2000.

4. ''Get Shorty''

a. Under this strategy, Enron sells ancillary services in the Day-ahead market.

b. Then the next day, in the real-time market, a trader ''zeroes out'' the ancillary services, i.e., cancels the commitment and buys ancillary services in the real-time market to cover its position.

c. The profit is made by shorting the ancillary services, i.e., sell high and buy back at a lower price.

d. One concern here is that the traders are applying this strategy without having the ancillary services on standby. The traders are careful, however, to be sure to buy services right at 9:00 a.m. so that Enron is not actually called upon to provide ancillary services. However, once, by accident, a trader inadvertently failed to cover, and the ISO called on those ancillary services.

e. This strategy might be characterized as ''paper trading,'' because the seller does not actually have the ancillary services to sell. FERC recently denied Morgan Stanley's request to paper trade on the New York ISO.

The ISO tariff does provide for situations where a scheduling coordinator sells ancillary services in the day ahead market, and then reduce them in the day-of-market. Under these circumstances, the tariff simply requires that the scheduling coordinator replace the capacity in the hour-ahead market. ISO Tariff, SBP 5.3, Buy Back of Ancillary Services.

f. The ISO tariff requires that schedules and bids for ancillary services identify the specific generating unit or system unit, or in the case of external imports, the selling entity. As a consequence, in order to short the ancillary services it is necessary to submit false information that purports to identify the source of the ancillary services.

5. ''Wheel Out''

a. This strategy is used when the interties are set to zero, i.e., completely constrained.

b. First, knowing that the intertie is completely constrained, Enron schedules a transmission flow through the system. By so doing, Enron earns the congestion charge. Second, because the line's capacity is set to ''0,'' the traders know that any power scheduled to go through the inter-tie will, in fact be cut. Therefore, Enron earns the congestion counterflow payment without having to actually send energy through the intertie.

c. As a rule, the traders have learned that money can be made through congestion charges when a transmission line is out of service because the ISO will never schedule an energy delivery because the intertie is constrained.

6. ''Fat Boy''

a. This strategy is described above in section A(1).

7. ''Ricochet''

a. Enron buys energy from the PX in the Day Of market, and schedules it for export. The energy is sent out of California to another party, which charges a small fee per MW, and then Enron buys it back to sell the energy to the ISO real-time market.

b. The effect of this strategy on market prices and supply is complex. First, it is clear that Enron's intent under this strategy is solely to arbitrage the spread between the PX and the ISO, and not to serve load or meet contractual obligations. Second, Ricochet may increase the Market Clearing Price by increasing the demand for energy. (Increasing the MCP does not directly benefit Enron because it is buying energy from the PX, but it certainly affects other buyers, who must pay the same, higher price.) Third, Ricochet appears to have a neutral effect on supply, because it is returning the exported energy as an import. Fourth, the parties that pay Enron for supplying energy to the real time ex post market are the parties that underscheduled, or underestimated their load, i.e., the IOUs.

8. Selling Non-firm Energy as Firm Energy

a. The traders commonly sell non-firm energy to the PX as ''firm.'' ''Firm energy,'' in this context, means that the energy includes ancillary services. The result is that the ISO pays EPMI for ancillary services that Enron claims it is providing, but does not in fact provide.

b. The traders claim that ''everybody does this,'' especially for imports from the Pacific Northwest in to California.

c. At least one complaint was filed with the ISO regarding Enron's practice of doing this. Apparently, Arizona Public Service sold non-energy to Enron, which turned around and sold the energy to the ISO as firm. APS cut the energy flow, and then called the ISO and told the ISO what enron had done.

9. Scheduling Energy To Collect the Congestion Charge II

a. In order to collect the congestion charges, the traders may schedule a counterflow even if they do not have any excess generation. In real time, the ISO will see that Enron did deliver the energy it promised, so it will charge Enron the inc price for each MW Enron was short. The ISO, however, still pays Enron the congestion charge. Obviously a loophole, which the ISO could close by simply failing to pay congestion charges to entities that failed to deliver the energy.

b. This strategy is profitable whenever the congestion charge is sufficiently greater than the price cap. In other words, since the ex post is capped at $250, whenever the congestion charge is greater than $250 it is profitable to schedule counterflows, collect the congestion charge, pay the ex post, and keep the difference.

C. ISO TARIFF

The ISO tariff prohibits ''gaming,'' which it defines as follows:

''Gaming,'' or taking unfair advantage of the rules and procedures set forth in the PX or ISO Tariffs, Protocols or Activity Rules, or of transmission constraints in period in which exist substantial Congestion, to the detriment of the efficiency of, and of consumers in, the ISO Markets. ''Gaming'' may also include taking undue advantage of other conditions that may affect the availability of transmission and generation capacity, such as loop flow, facility outages, level of hydropower output or seasonal limits on energy imports from out-of-state, or actions or behaviors that may otherwise render the system and the ISO Markets vulnerable to price manipulation to the detriment of their efficiency.'' ISO Market Monitoring and Information Protocol (''MMIP''), Section 2.1.3.

The ISO Tariff also prohibits ''anomalous market behavior,'' which includes ''unusual trades or transactions''; ''pricing and bidding patterns that are inconsistent with prevailing supply and demand conditions''; and ''unusual activity or circumstances relating to imports from or exports to other markets or exchanges.'' MMIP, Section 2.1.1 et seq.

Should it discover such activities, the ISO tariff provides that the ISO may take the following action:

1. Publicize such activities or behavior and its recommendations thereof, ''in whatever medium it believes most appropriate.'' MMIP, Section 2.3.2 (emphasis added).

2. The Market Surveillance Unit may recommend actions, including fines and suspensions, against specific entities in order to deter such activities or behavior. MMIP, Section 2.3.2.

3. With respect to allegations of gaming, the ISO may order ADR procedures to determine if a particular practice is better characterized as improper gaming or ''legitimate aggressive competition.'' MMIP, Section 2.3.3.

4. In cases of ''serious abuse requiring expeditious investigation or action'' the Market Surveillance Unit shall refer a matter to the appropriate regulatory or antitrust enforcement agency. MMIP, Section 3.3.4.

5. Any Market Participant or interested entity may file a complaint with the Market Surveillance Unit. Following such complaint, the Market Surveillance Unit may ''carry out any investigation that it considers appropriate as to the concern raised.'' MMIP, Section 3.3.5.

6. The ISO Governing Board may impose ''such sanctions or penalties as it believes necessary and as are permitted under the ISO Tariff and related protocols approved by FERC; or it may refer the matter to such regulatory or antitrust agency as it sees fit to recommend the imposition of sanctions and penalties.'' MMIP, Section 7.3.

Mrs. FEINSTEIN. This proves, for the first time, active and purposeful manipulation of the energy market in order to drive up prices and increase profits.

I thank the Federal Energy Regulatory Commission for the investigation which took place and began subsequent to our hearing on January 29 and my request to FERC that they conduct this investigation.

As Chairman Wood told the Energy Committee hearing: Sunlight is the best disinfectant. I am very pleased that, under his leadership, FERC is now practicing what Mr. Wood has preached.

But take note that these documents have sat within Enron for the last 18 months. This is 6 months after a subpoena was issued for them. And, finally, after all this time, the Enron board decided it would release the documents.

It is appalling that it took this long. It is precisely why the CFTC or FERC or some regulatory agency needs the authority to investigate. That was an authority that the CFTC had until the Commodity Futures Modernization Act was passed by this body in December of 2000.

That is the same month these documents were actually produced. It is exactly what Senator CANTWELL, Senator WYDEN, and I have been saying in the Energy Committee for more than a year. Had our derivatives amendment been in place, at least it would have ensured that for online trades, a regulatory agency would have had access to these documents and would have been able to investigate right away. I hope the 50 of my colleagues who voted against our energy derivatives amendment will reconsider their opposition.

Senator HARKIN, who is present in the Chamber, the chair of the Agriculture Committee, has said he would take a look at our legislation and mark it up. I am once again calling on his committee to hold hearings and mark up our legislation as soon as possible.

Congress must pass legislation to reinstate CFTC authority to oversee energy derivatives in the futures market and investigate fraud and manipulation of energy producers.

What do these documents mean for California and the Western States? Until now, FERC has never said it thought there was manipulation in the California and western energy markets. As such, it has taken a very conservative view with respect to refund proceedings, interpreting ''just and reasonable'' doctrines and reviewing long-term energy contracts. That means FERC-ordered refunds were very limited and very insignificant relative to ''unjust and unreasonable'' costs. Now all of a sudden the landscape has changed. Manipulated spot markets lead to forward markets that were also manipulated, and thus long-term contracts also reflect unjust and unreasonable rates. So this means everything needs to be put back on the table by FERC.

I don't believe it was just Enron. I believe other companies were out there doing the same or similar things. In fact, one document, a December 2000 memo from two Enron employees named Yoder and Hall to another named Sanders, even fingers two other companies, Puget Sound and PowerEx, as having done the same thing.

These documents suggest that this may be beyond FERC at this point. That is why I am calling for the Department of Justice to investigate these memoranda, the companies, and other companies. I am also calling on FERC to take another look at contracts signed by California and other Western States with energy companies to see if future prices of energy were also manipulated by Enron. The evidence is now very clear that this was in fact the case.

I am also asking FERC to take another look at the refund proceedings. The evidence now exists that prices were unjust and unreasonable to a much larger extent than FERC had previously determined.

As my colleagues know, I have asked the Department of Justice to investigate, and here is why I believe there may well be outright fraud. There are three easy ways.

First, Enron sold power out of State and then bought it back. This enabled them to evade certain price caps and sell energy without a cap in order to receive a much higher price for their energy. This is referred to as megawatt laundering.

Second, by knowing that transmission lines were constrained and oversubscribed for a set hour, the company scheduled deliveries in order to get paid and not deliver. The net effect was that Enron got paid for moving energy to relieve congestion that they had no intention of actually ever moving.

Third, with simple sleight of hand, Enron could sell nonfirm energy to the power exchange as firm energy in order to get paid extra for ancillary services in the firm contracts when Enron was actually selling nonfirm power.

There are other examples documented on the Web site. Some are much more technical, with suspicious names such as Fat Boy, Get Shorty, and Death Star. I am sure there are yet other ways to manipulate the system, and perhaps other companies figured out other ways to do it as well.

I am also asking the Department of Justice to investigate the entire western energy market and those trading into it in the years 2000 and 2001. If there ever was a bugle call to action to fix what was wrong with the California and western energy markets from May of 2000 to June of 2001, this is it.

I yield the floor.

CUBAN BIOLOGICAL WEAPONS

Mr. NELSON of Florida. Madam President, I call to the attention of the Senate a shocking Associated Press story that was filed yesterday afternoon. I have not had a chance to read the papers today, so I don't know in which papers it was printed. This is a headline:

U.S. Official Says Cuba May Be Helping Rogue States With Biological Weapons.

I am going to read the first two paragraphs of this AP story:

The Bush administration said yesterday it believes Cuba has at least a limited offensive biological warfare program and may be transferring its expertise to other countries hostile to the United States.

We are concerned that such could support biological warfare programs in those States, said U.S. Under Secretary of State, John Boland.

This is of grave concern to the Nation. If the Bush administration has hard evidence that Cuba is exporting biological weapons to our enemies, then the Bush administration should not just be making speeches about it. They ought to be planning an action in consultation with the Congress under the War Powers Act as to what to do about exporting biological agents to our enemies in this war on terrorism.

This would be absolutely unacceptable. What will the action be? That is where the consultation ought to be going on with Congress as to what the administration is planning. Don't make a speech that the AP story says was made to the Heritage Foundation. But, instead, let us talk about what the means are of stopping the exports of biological weapons and biological agents that would be going from Cuba to other terrorist states which are clearly out to do ill will to the interests of the United States.

Could it involve something more other than stopping the exports of biological weapons? Yes, it could. But that is what the planning ought to be about instead of just making speeches to think tank foundations.

I think this is a matter of gravest concern. Certainly, we have suspected, since Cuba is on our list of terrorist states, that this kind of activity might be going on. But, if it is, under the Constitution there ought to be consultation with the appropriate committees about any plans to protect the interests of the United States and not the Assistant Secretary of State making a speech to the Heritage Foundation.

I wanted to call this to the attention of the Senate. It has apparently not gotten much attention up to this point. I think it is of grave concern to the United States. It is clearly in the interest of the United States, if these weapons of mass destruction through biological agents are being produced or researched in Cuba, that it be stopped forthwith, and certainly any export to other countries that would do us harm should be stopped dead in its tracks.

I yield the floor.

Mr. LUGAR. Madam President, I commend the distinguished Senator from Florida for his statement. The whole area of weapons of mass destruction is one of interest to me and to many Senators. Very clearly, the war against terrorism contemplates that we will be vigorous in trying to find the al-Qaida and other associates. But at the minimum, we must make certain they do not have access to materials, laboratories, or weapons of mass destruction, which would be catastrophic, whether it be from Cuba or countries in the Middle East, the Far East, Africa, or wherever.

Many of us have commented—including the distinguished Senator from Florida—about the worldwide extent of their war effort. The President has commented that it may be a long war for that very reason. I commend him for his statement.

I am hopeful the relevant committees have been informed. Perhaps the leadership of the Senate has been informed. But if not, that should occur quickly.

MANIPULATION OF ENERGY MARKETS

Ms. CANTWELL. Madam President, I rise today to discuss the documents that were released yesterday, which illustrate how Enron has manipulated energy markets in California and in many Western States. Based on yesterday's revelations, I believe ratepayers deserve prompt relief from Enron's trading practices. I think these documents show Washington State electricity consumers what they have suspected all along, that prices have been manipulated and they have, as a result, paid higher energy prices, many up to double-digit rate increases.

Many of you may have seen the articles. I want to have several of these printed in the CONGRESSIONAL RECORD. They emphasize the information that is being provided in documents I think my colleagues from California had printed in the RECORD.

The New York Times, the headline was:

Enron Forced Up California Energy Prices, Documents Show.

Another article that was printed in the LA times:

Memo Shows Enron's Role in Power Crisis. Energy: "Smoking gun" document by company lawyers reveals tactics used to create electricity shortage in California, then drive up prices.

Another in the Washington Post:

Papers Show That Enron Manipulated California Crisis.

I ask unanimous consent these be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the New York Times, May 7, 2002]

ENRON FORCED UP CALIFORNIA ENERGY PRICES, DOCUMENTS SHOW

(By Richard A. Oppel Jr. and Jeff Gerth)

WASHINGTON, May 6.—Electricity traders at Enron drove up prices during the California power crisis through questionable techniques that company lawyers said "may have contributed" to severe power shortages, according to internal Enron documents released today by federal regulators.

Within Enron, the documents show, traders used strategies code-named Fat Boy, Ricochet, Get Shorty, Load Shift and Death Star to increase Enron's profits from trading power in the state—techniques that added to electricity costs and congestion on transmission lines.

The documents—memorandums written in December 2000 by lawyers at Enron to another lawyer at the company—also describe "dummied-up" power-delivery schedules, the submission of "false information" to the state, and the effective increasing of costs to all market participants by "knowingly increasing the congestion costs."

The memos, which provide the first inside look at the complex trading strategies Enron used in California, give strong ammunition to state officials who have long argued that Enron and other power marketers manipulated the state's market and played a crucial role in the crisis that cost California consumers and utilities tens of billions of dollars in 2000 and 2001. The documents state that other power companies used similar techniques.

Tonight, Senator Dianne Feinstein, Democrat of California, said she would ask Attorney General John Ashcroft "to pursue a criminal investigation to determine whether in fact federal fraud statutes or any other laws were violated" by Enron's energy-trading activities. Federal prosecutors are already conducting an inquiry into Enron's accounting, which falsely increased reported profits but ultimately led to the company's filing for bankruptcy protection in December.

Enron agreed to sell its energy-trading unit earlier this year to UBS Warburg, a division of UBS, Switzerland's largest bank. Nearly all of Enron's senior executives, and most of its board members, have departed in the last nine months.

Enron's senior management learned of the documents in late April, and the company's board decided during a meeting on Sunday to waive attorney-client privilege and turn the memos over to investigators at the Federal Energy Regulatory Commission, a person close to the company said. The company has also informed the Justice Department, the Securities and Exchange Commission and the attorney general of California about the documents.

At a noon meeting today, lawyers for Enron gave the memos to investigators from the regulatory commission, which is examining whether Enron manipulated energy markets in the West. The agency released the documents a few hours later. Officials at the commission declined to comment, but they are continuing their investigation into Enron's effect on power prices and asked the company today to provide additional documents on its electricity and natural-gas trading activities.

In a letter sent by officials at the commission today to Enron, investigators at the agency said the documents described how Enron traders were "creating, and then 'relieving,' phantom congestion" on California's electricity grid. The documents also detail what investigators described as "megawatt laundering," in which Enron bought power in California, resold the power out of

the state and then bought the power back and resold it back into California—allowing Enron to circumvent price caps meant to clamp down on costs.

''These documents prove that these companies can manipulate the market,'' said Loretta Lynch, the president of the California Public Utilities Commission, ''Enron prevented California from seeing these documents for years, and now we know why.''

Ms. Lynch said the documents supported her argument that FERC should leave in place temporary electricity price restraints, introduced last June, which state officials say have played a large role in reining in prices. ''I don't see how FERC can remove the boundaries they put in place on our market last June.''

An outside lawyer for Enron, Robert S. Bennett, said he could not comment on the trading strategies described in the documents. ''Because we have sold the trading unit and the people with the knowledge of trading practices are no longer with the company, we do not know what the true facts are, and we do not know which parts of the memoranda are correct and which parts are incorrect,'' Mr. Bennett said tonight.

But he emphasized that the company had agreed to waive that attorney-client privilege because it was trying to cooperate with the various investigations into Enron's business practices. ''These memoranda came to the attention of the board and current management in late April, and the board instructed its counsel to not assert the attorney-client privilege and produce these documents to the appropriate government entities,'' Mr. Bennett said.

Another memo written by a separate group of lawyers for Enron in 2001—apparently in January or February, after soaring wholesale power prices in California pushed the state's largest utilities to the brink of insolvency—tried to play down the strategies described in the December 2000 memos.

In this later memo, which as written to prepare Enron for the ''various investigations and litigation'' it faced because of the California power crisis, the lawyers repeatedly tried to play down or cast doubt on the conclusions drawn by Enron's own lawyers in the earlier memos.

''Some of the information'' in the earlier memos ''which resulted in some erroneous assumptions and conclusions, cannot be supported by the facts and evidence which are now known,'' the later memo stated.

In one strategy described in the December 2000 memos, Enron would buy power from a state-run exchange for $250 a megawatt-hour—the maximum under the price caps—and resell it outside California for almost five times as much.

''Thus, traders could buy power at $250 and sell it for $1,200,'' according to one memo. In that document, the Enron lawyers acknowledged that such activity could be playing a big role in causing electricity shortages in the state, but they suggested that was not a significant concern.

''This strategy appears not to present any problems,'' the memo stated, ''other than a public relations risk arising from the fact that such exports may have contributed to California's declaration of a State 2 Emergency yesterday.''

The Death Star strategy, as described in the memos, allowed Enron to be paid ''for moving energy to relieve congestion without actually moving any energy or relieving any congestion.''

And the Load Shift strategy allowed Enron to generate about $30 million in profits in 2000 using techniques that, according to the documents, included creating ''the appearance of congestion through the deliberate overstatement'' of power to be delivered.

In the past, Enron officials said the California power crisis was caused by the state's deeply flawed electricity deregulation plan, the lack of new power-generation capacity and by temporary factors, like a drought that drastically reduced available hydropower. Even some economists who think price manipulation was widespread say these other factors contributed to soaring prices.

But Enron executives always insisted that absolutely nothing their traders had done contributed to the crisis. In an interview last year, Enron's former chairman, Kenneth L. Lay, dismissed accusations that manipulation was even partly to blame for California's troubles.

''Every time there's a shortage or a little bit of a price spike, it's always collusion or conspiracy or something.'' Mr. Lay said in the interview, Which was also taped for ''Frontline'' on PBS. ''I mean, it always makes people feel better that way.''

[From the Los Angeles Times, May 7, 2002]

MEMO SHOWS ENRON ROLE IN POWER CRISIS

(By Nancy Rivera Brooks, Thomas S. Mulligan and Tim Reiterman)

Enron documents released Monday show the company sought to manipulate power prices in California, creating artificial shortages through the use of aggressive trading tactics during the energy crisis.

The disclosure by federal energy regulators marks the first time that a company's own documents have provided clear evidence of market manipulation, critics said, which contribute to soaring prices and blackouts.

''What we have here is a blueprint of . . . manipulation,'' said Robert McCullough a Portland energy consultant and economist. ''It's one thing for economists to state that these things are happening. . . . It's another thing for there to be internal documents on the table stating these things are happening.''

The documents, uncovered as part of investigation by the Federal Energy Regulatory Commission into possible manipulation of California's electricity market, are seen as strengthening the state's hand in renegotiating costly long-term contracts with electricity sellers that were reached during the worst of California's energy crisis in 2001.

California Democratic Sens. Barbara Boxer and Dianne Feinstein both called for a Justice Department investigation, with Boxer saying the documents ''confirm what I've been saying for months, that Enron manipulated the California energy market and needs to be held accountable. It is high time we see some indictments handed down in this case.''

Although Feinstein said the trading practices may violate federal fraud statutes, energy experts saw the strategies as infractions of market rules that are punishable by fines or suspensions rather than criminal prosecution.

The state's grid operator has sought a variety of remedies from FERC for such practices and received some relief in June in the form of price caps throughout the West and other mitigation measures.

Enron Lawyer Robert Bennett said company executives, under new leadership after Enron's Dec. 2 bankruptcy filing, gave the documents to the Government and waived attorney-client privilege because ''they thought it was the right thing to do. The truth of the matter is, we don't know what the truth of the underlying facts are'' in the memos.

Power shortages sent prices skyrocketing in May 2000, which pushed California's two largest privately held electricity utilities to the edge of ruin, caused six days of statewide blackouts and forced the state to buy power for more than 10 million utility customers.

Enron and other power sellers have denied that they manipulated prices or power supplies, contending that the energy crisis was caused by a shortage of power plants and hydroelectricity.

''These documents make it clear that Enron was trying to squeeze every dime it could out of the market. It's not surprising that they violated [California Independent System Operator] rules because the ISO don't provide much punishment for violators,'' said Severin Borenstein, a UC Berkeley professor and director of the UC Energy Institute.

One memo, dated Dec. 6, 2000, and prepared by an Enron staff attorney and an outside lawyer in anticipation of investigations and lawsuits, explained how Enron traders exploited loopholes or market limitations to boost prices or to wring special payments out of the agencies that operated California's electricity markets.

Enron traders used such price-hiking techniques as sham congestion on electricity lines or selling electricity to out-of-state affiliates only to re-import it at higher prices, the memo said.

One strategy, code-named Death Star, ''earns money by scheduling transmission in the opposite direction of congestion,'' the Dec. 6 memo said. ''No energy, however, is actually put onto the grid or taken off.''

A second undated memo, written by a different law firm, sought to cast a more favorable light on the strategies discussed in the first memo.

The second memo defended the Death Star strategy, saying it actually reduced congestion on electricity lines at times and increased supply along underused electricity lines.

The Dec. 6 memo also claimed that other traders had begun copying Enron's techniques, many of which have been identified by California officials, although without documented evidence.

''These are the smoking guns we always alleged,'' said Public Utilities Commission President Loretta M. Lynch. ''These documents show their business plan was to game the California market so they could suck every dollar out of California.''

Department of Water Resources spokesman Oscar Hidalgo said the department hopes the release of the Enron documents will spur more companies to renegotiate dozens of long-term contracts that DWR signed after it became the power buyer of customers of financially troubled utilities.

The California Independent System Operator, which runs California's last remaining official energy market, has asked FERC to grant the state $9 billion in refunds because prices charged in 2000 and 2001 were unreasonable, although the regulators now are considering a lower payment.

The quirks of the California energy market presented Enron and other market participants with myriad opportunities to take profitable advantage.

California had two markets: a ''day-ahead'' auction market through the California Power Exchange—''The PX,'' in trader lingo—and the ''real-time'' market run by Cal-ISO.

Traders quickly found ways to play the two markets off each other.

The day-ahead market was supposed to handle the bulk of the electricity requirements, and the real-time market was meant only to correct occasional imbalances.

When the crisis hit, the real-time market grew in importance and was the locus of wild price swings.

Buyers and sellers who wanted to participate in the real-time market were required to submit to Cal-ISO daily schedules of their production and their ''load,'' or the amount

of power they intended to use. The two were supposed to be in balance.

But sometimes when power supply was tight, Cal-ISO paid participants a premium when they happened to provide more power than Cal-ISO required.

One of Enron's basic strategies, according to the memo, involved deliberately overstating its load. It would deliver as much power as promised but then use less than scheduled and get a premium for the difference.

Another Enron stratagem was to take advantage of congestion in the real-time market that Enron had helped create in the day-ahead market, the memo said.

During the energy crisis, the amount of power scheduled for delivery into the California market sometimes exceeded the capacity of the system's transmission lines.

At such times, Cal-ISO would make ''congestion payments'' to market participants that either schedule transmission in the opposite direction or reduce their generation/load schedule.

''Because the congestion charges have been as high as $750/MW [per megawatt], it can often be profitable to sell power at a loss simply to collect the congestion payment,'' the memo said.

Enron traders, acknowledged as among the industry's most creative, worked a number of variations on these two themes. In addition to Death Star, other colorful nicknames for trading methods included Get Shorty, Ricochet and Fat Boy to identify them in discussions with traders from other firms.

California imposed price caps to cope with the emergency, but even these offered an opportunity for clever traders who realized that prices weren't capped in neighboring areas that were affected by the crisis.

On Dec. 5, 2000, for example, prices soared to $1,200 per megawatt-hour in the Pacific Northwest, while a $250 cap was in place in California.

Enron traders saw that they could lock in an instant $950 profit for each megawatt-hour of electricity by buying power on the California PX and selling it up north, according to the memo.

''This strategy appears not to present any problems, other than a public relations risk from the fact that such exports may have contributed to California's declaration of a Stage 2 emergency yesterday,'' the memo said.

Cal-ISO spokeswoman Stephanie McCorkle said some of the behaviors probably caused prices to rise, but the grid operator does not believe they contributed to the six days of blackouts in early 2001. The reason, she said, is that the blackouts were caused by a severe shortage of power, not by phantom congestion.

Cal-ISO has asked FERC to extend market protections that are due to expire Sept. 30, including a price cap on electricity in the West.

[From the Washington Post, May 7, 2002]

PAPERS SHOW THAT ENRON MANIPULATED CALIF. CRISIS

(By Peter Behr)

Enron Corp. manipulated the California electricity market with such maneuvers as transferring energy outside the state to evade price caps and creating phony ''congestion'' on power lines, according to internal Enron documents released yesterday.

The techniques described in two memos written by lawyers for Enron in December 2000 were given names such as ''Fat Boy,'' ''Death Star,'' ''Get Shorty'' and ''Ricochet.'' The company turned the documents over to federal regulators, who made them public.

The evidence of their use contradicts denials Enron made at the time and provides impetus to several investigations of the bankrupt energy giant's role in the California crisis.

Operators of California's power system ordered rotating blackouts on six days early in 2001. That followed a tenfold surge in power prices that began the previous summer, hitting the state's utilities with billions of dollars in excess electricity charges.

Details of Enron's financial problems came to light months after the California crisis. ''These documents confirm what we have known for some time, through circumstantial evidence: They show internal corporate strategies for manipulating the market,'' said California state Sen. Joseph Dunn (D), who heads a legislative committee investigation into the power crisis the state suffered a year ago.

U.S. Sen. Dianne Feinstein (D–Calif.) said she will ask the Justice Department to launch a criminal investigation of power sales in California.

The ''ricochet'' strategy was used to evade wholesale price controls on California electricity by transferring power out of the state and then back in.

Another maneuver took advantage of dramatically higher prices that California energy officials were willing to pay to get emergency supplies during shortages, the Enron documents say.

The ''Death Star'' strategy is described as permitting Enron to be paid ''for moving energy to relieve congestion without actually moving any energy or relieving any congestion.''

The reports were sent to Richard Sanders, Enron's vice president and assistant general counsel, in preparation for lawsuits arising from the California crisis. Sanders, who is still with Enron, could not be reached for comment yesterday.

A third, undated memo, prepared by different lawyers in consultation with a senior Enron trading executive, took issue with the first two reports, concluding that some of the trading strategies ''may have increased'' power supplies.

Energy analyst Robert McCullough said the memos indicate that Enron traders deliberately tried to create the appearance of shortages and congestion, prompting declarations of power blackouts that need not have been ordered in some cases.

State officials complained during the crisis that electricity suppliers were manipulating the state's deregulated power markets. Under political pressure last spring, the Federal Energy Regulatory Commission imposed temporary electricity price ceilings on California and neighboring western States.

That action, coupled with favorable weather and an economic slowdown, sent electricity prices plummeting last summer, ending the power crisis.

FERC officials and energy companies are still locked in a battle over the amount of refunds owed to California because of overcharging.

Enron said the documents released yesterday were spotted recently by company officials who took office after Enron's Dec. 2 bankruptcy filing, the largest such filing in U.S. history.

As correspondence between Enron and its attorneys, the documents has previously been marked confidential and had not been given to Federal and State investigators.

Enron attorney Robert Bennett said Enron managers concluded that the documents should be turned over, and in a telephone conference call Sunday, Enron's board agreed.

''This board and the current management wants to be fully candid with Congress and other Government entities and to do the honorable and responsible thing,'' Bennett said.

Ms. CANTWELL. Madam President, these articles show what consumers in my State have thought all along, that these prices were being manipulated. That is why in January of this year I asked the Federal Energy Regulatory Commission to investigate these high prices that have literally cost people jobs, made consumers pay as much as 60-percent rate increases, and have made it tough for our economy in Washington State to continue to thrive with these high energy prices in some industries such as aluminum and other intensive energy businesses.

Yet what has happened—I do not know if other people in the country realize this—is our consumers may end up paying these high rates for many years, even though Enron has gone bankrupt. The reason is that the contracts these companies have had with Enron are as many as 5-year to 7-year—in some cases 8-year—contracts which were negotiated at the time of this crisis and very high prices. In fact, energy prices—the rates were as much as 1,000 times higher during this crisis.

Consumers hear there were memos with names such as Fat Boy or Death Star or Get Shorty or Ricochet that were really plans by this company to manipulate prices. The Federal Energy Regulatory Commission should act upon these memos and basically find that these rates have, in fact, been manipulated. That is right, on the west coast, both in California and in Washington and in Oregon, prices were manipulated and because of those unjust and unreasonable rates these Northwest entities should be let out of these long-term Enron contracts.

I believe that is critically important for us in the Northwest, who may face even further rate increases in the future because of these high energy costs, and the fact that the Bonneville Power Administration, for example, would be let out of these contracts, it might save as much as $250 million to $300 million just in the costs that BPA has to pay. Instead, they would be able to go out on the market, not paying the high Enron prices, but go out on the market today and get cheaper electricity prices.

I cannot tell you how important it is for us. My colleague from Washington, Senator MURRAY, and Senator FEINSTEIN, Senator BOXER, Senator WYDEN, and Senator SMITH—we have all spoken on this issue and how it impacts the whole west coast. It is critically important that the Federal Energy Regulatory Commission take the information they have discovered in their investigation and make this decision on unjust and unreasonable rates as soon as possible.

I believe the Federal Energy Regulatory Commission ought to use its power to void long-term contracts with unjust and unreasonable rates. I also believe we need new Senate hearings to review these findings and to explore all available options for ratepayer relief under federal law.

I would also like to add my voice to that of my colleague from California, Senator FEINSTEIN, and my colleague from Washington, Senator MURRAY, in calling for a criminal investigation by the Department of Justice into allegations that Enron has manipulated prices in the Western electricity markets.

As my colleagues are aware, the Western electricity crisis of 2000 and 2001 has taken a tremendous toll on the economy of my state, and of Oregon and California. As a result of electricity prices that spiraled to as much as 1000 times the normal rates, consumers throughout the West have paid dearly. They have paid in their utility bills—which have been raised as much as 60 percent—and they have paid with job loss in communities that have seen entire industries shut down.

Madam President, throughout the Western electricity crisis, I joined with many of my Western colleagues in asking the Federal Energy Regulatory Commission (FERC) to step in and do its job—to ensure just and reasonable rates. For many months, FERC refused and assured many of us that the Western power crisis was simply the result of drought and a shortage of electricity—a shortage that many of us raised questions about, given that it seemed to materialize over night.

FERC and this administration repeatedly denied what many of the impacted citizens in Washington state knew intuitively to be true—that our Western markets were being manipulated by a handful of companies that drew enormous profits directly from their pockets and from the coffers of their businesses.

With the collapse of Enron, Senator BINGAMAN, chairman of the Senate Energy and Natural Resources Committee, wisely called a hearing to assess the bankruptcy's impacts on the energy markets. At this hearing, on January 29, I asked FERC Chairman Pat Wood to take a close look at allegations that Enron have been manipulating markets. In a letter sent that same day, I wrote:

> Congress and our nation's consumers-particularly those of the Pacific Northwest, who have suffered through retail rate increases of up to 50 percent over the past year-deserve to know whether Enron was manipulating Western power markets at their expense. After Enron collapsed, prices in the West's forward energy markets plummeted by 20 to 30 percent. Where there's smoke there's often fire, and we must investigate whether we have a simple coincidence here, or something more. The public deserves answers and, if appropriate, corrective action.

In response to my request, FERC opened a staff investigation on these allegations. And late yesterday, this investigation revealed the first real smoking gun. Now posted on the Commission's Website, you will find memos in which attorneys from Enron outline their strategies for manipulating prices in Western markets.

This has real, direct impacts on consumers in my state. During the height of the crisis, many utilities in my state signed long-term contracts with Enron at prices that looked like deals at the time—in a severely dysfunctional market—but today, are two to three times current market rates. The Bonneville Power Administration, for example, which provides 60 percent of all the power consumed in my state, is on the hook for $700 million worth of Enron contracts over the next few years. In today's market, these contracts would be half as costly. Nevertheless, Bonneville and the consumers of the Northwest continue to be held hostage. They continue to pay Enron. At the conclusion of this investigation, I hope that FERC will see to it that justice is done. If markets were manipulated—as the evidence now suggests—Washington State consumers should be given relief from these contracts.

In addition to these ongoing FERC proceedings, I do hope the Justice Department will open a criminal investigation into Enron's actions to manipulate electricity prices and defraud consumer-ratepayers.

But I also look forward to this body exercising what I believe is necessary continued oversight. This morning, at an Energy and Natural Resources Committee hearing, Senator BINGAMAN and I discussed the possibility of a hearing on these issues. I also believe that the Judiciary Committee may be an appropriate forum for discussing the antitrust component of these allegations.

But in addition, I hope my colleagues—and particularly those who will serve on the Energy bill conference committee—will pay close attention to what this means for our nation's electricity markets. During the debate on that bill, I offered a consumer protection amendment to the electricity title that I believe would have prevented a recurrence of the Western energy crisis and incorporated many of the lessons we have learned—and continue to learn—from Enron's collapse. My amendment suggested that before FERC was allowed to open up markets like California to deregulation, it should have to establish clear market rules, have in place the mechanisms necessary to monitor markets to detect manipulation. It would have directed FERC to take decisive, corrective action to protect consumers when abuses do occur. And it would have given FERC and state utility commissions the access to books and records they would need to discover evidence like the memos we have now found in this Enron investigation, almost two years after the energy crisis began and after months of business closures and rate hikes across the West.

I hope Attorney General Ashcroft will heed our call today. I look forward to continuing our oversight of this issue in the Energy Committee, and I hope our conferees will consider this new evidence—that Enron has been manipulating power markets—as they consider the energy bill.

I yield the floor.

THE BUSH ADMINISTRATION DECISION TO ''UNSIGN'' THE ROME STATUTE

Mr. DASCHLE. Madam President, I come to the floor to express my disappointment with the Bush Administration's decision to unsign the Rome Statute, and withdraw the United States from the process of creating an international criminal court.

We are told this decision was made in order to protect American troops and American sovereignty from a faceless international bureaucracy. Unfortunately, it does the opposite. In fact, this decision vastly decreases our ability to shape the ICC, ignores the fact that the ICC will come into existence regardless of whether we are involved or not, and raises the specter of unilateralism just as we will be turning to our allies for help in a series of crucial policy, diplomatic—and perhaps military—undertakings.

Administrations since President Truman have supported the establishment of a criminal court to try the worst crimes against humanity. Reasonable people can disagree about the merits of the Rome Statute. Like many of my colleagues, I have some concerns about its jurisdiction and potential impact on U.S. forces deployed overseas.

I do not, however, think the consequences of simply walking away from the Statute should be ignored. Instead of asserting our leadership, we are abdicating it. Instead of shaping the court to serve our interests, we have relinquished our seat at the table and removed ourselves from a position to shape it at all.

This is especially disappointing, Madam President, when you consider the simple fact that the ICC will still come into existence in July. That was made clear in New York on April 11, when the 60th nation ratified the Rome Statute, putting it into effect. To date, 64 nations have ratified the statute. Only one—the United States—has withdrawn.

When it comes time to pick prosecutors and judges, which it will do, we will not be at the table. And when it comes time to consider rules of evidence, which it will do, our voices will be absent.

But let's consider also exactly who some of those 60 are—Britain, Canada, France, Italy and Spain, all NATO allies, all currently fighting side-by-side with our troops in Afghanistan and the Balkans. And all whom we hope to count on in future conflicts in our war on terrorism.

Yesterday afternoon, our Ambassador-at-Large for War Crimes Issues said that America had ''washed our hands [of the ICC]. It's over.'' If it were only so, Madam President. We did not put the ICC out of business. But we did take ourselves out of the action—and out of a position to influence the ICC. The decision to unsign was the wrong decision at the wrong time and, most troubling of all, not in keeping with the American national interest.

HONORING THE 2002 AAA SCHOOL SAFETY PATROL LIFESAVING MEDAL AWARD WINNERS

Mr. DASCHLE. Madam President, I am proud to announce to the Senate today the names of the young men and women who have been selected to receive special awards from the American Automobile Association. Six safety patrollers will receive the 2002 AAA School Safety Patrol Lifesaving Medal Award, the highest honor given to members of the school safety patrol. They are in Washington, DC, today to receive their awards, and I wanted to say how proud we are of them all.

There are roughly 500,000 members of the AAA School Safety Patrol in this country, helping in over 50,000 schools. Every day, these young people ensure that their peers arrive safely at school in the morning, and back home in the afternoon.

Most of the time, they accomplish their jobs uneventfully. But, on occasion, these volunteers must make split-second decisions, placing themselves in harm's way to save the lives of others. The heroic actions of this year's recipients exemplify this selflessness.

The first AAA Lifesaving Medal recipient comes from Alexandria, MN.

On January 11, 2002, 12-year-old Kathryn DelZoppo, a captain on St. Mary's Catholic School Safety Patrol, was at her post with four other patrol team members. Even though the duty period was almost over, Kathryn remained alert and kept watch over her team.

As one member of the team approached a busy intersection, a child ran past him, into the street, and into the path of a swiftly approaching vehicle. Thinking fast, Kathryn grabbed the child's jacket and pulled him back to the safety of the curb.

This year's second AAA Lifesaving Medal honoree comes from Manassas, VA.

On September 20, 2001, Weems Elementary School Safety Patrol Ernesto Navarrette, age 11, was on duty at the bus circle with six other patrols and a teacher. Ernesto scanned the area for possible safety hazards as students climbed onto their buses.

A pick-up truck parked in the grass nearby began to back up, but no one could hear the truck's engine over the noise of the children and buses. Only Ernesto saw the truck backing up toward a fellow patrol member, who had her back to the moving truck. He yelled to the patrol to move out of the way. She did, just in time.

The next AAA Lifesaving Medal winners come from Lancaster, OH.

On November 21, 2001, Sandersen Elementary School Safety Patrols Justin Wright, age 13, and Ethan Trush, age 12, were on duty on opposite sides of a crosswalk outside their school. After checking for oncoming traffic, Justin and Ethan allowed a third grader to cross the street.

Just then, a car left the school grounds, speeding and fishtailing as it approached the crosswalk. Ethan spotted the car just as the younger student reached the middle of the crosswalk. He yelled out a warning to Justin and then quickly moved to safety. Justin immediately dashed into the road and pulled the third grader out of the street, barely escaping being hit by the oncoming car.

The fifth AAA Lifesaving Award recipient comes from Westfield, NJ.

On October 16, 2001, Franklin Elementary School Safety Patrol Matthew Printz, age 11, was at his usual post outside the school with fellow patrols and a school crossing guard.

Signaling traffic to continue, the crossing guard called to the patrols to hold back any students approaching the intersection. Just as traffic began to move, however, a student stepped around Matthew and into the street. Matthew immediately grabbed the strap of the student's backpack and pulled him out of the street just in time to avoid being hit.

The sixth AAA Lifesaving Award honoree is from Fairfax, VA.

On March 7, 2002, 11-year-old Greg Whitaker, captain of the Fairhill Elementary School Safety Patrol, was walking with a first-grade student toward their homes after fulfilling his school bus patrol duties.

A man pulled up in his van and blocked the boys' path. The man got out of his van and started to ask the little boy several questions, including where he lived. Greg immediately said in a loud voice, ''We need to go home!'' He took the first-grader's hand, and walked the boy directly home. Before the van pulled away, Greg committed the license plate number, the van, and the driver to memory.

Safely home, Greg called his patrol sponsor for further guidance. The sponsor called the local police, and was told there was a warrant out for the man's arrest. Greg's quick thinking and courage saved himself and the younger boy from a wanted felon.

In addition to honoring safety patrollers with the Lifesaving Medal Award, AAA also recognizes the School Safety Patroller of the Year. This award is presented to patrollers who perform duties above and beyond their normal responsibilities and demonstrate outstanding leadership, dependability, and academic strength.

This year, the Safety Patroller of the Year goes to Kaitlin McLoughlin, age 14, an 8th grader and Safety Patrol Captain at Our Shepherd Lutheran School in Birmingham, MI.

Usually, students have to be in eighth grade to be a safety patrol captain. Kaitlin was allowed to join a year early, however, after submitting an impressive essay and completing an interview process. She was also chosen captain of her patrol team the following year.

Kaitlin's principal describes her as ''dependable, clear thinking, calm, and well-respected by students and teachers alike.''

Kaitlin's responsibilities include keeping a weekly record of her safety squad, raising and lowering the school flag, and keeping track of the safety belts and ponchos. When she is on duty, she is responsible for locking one of the school doors after the final bell rings in the morning. She must also organize her squad and assign duty stations monthly.

Recently, the faculty chose Kaitlin to attend the Birmingham Optimist Club breakfast for outstanding area students. She has also served as a kindergarten and computer classroom aide, and assisted with photography for the school website.

Kaitlin is co-captain of the cheering squad, vice-president of the student council, co-chairman of the 7th-8th grade dance, and sings in the choir. She is Mistress of Ceremonies for the school talent show and serves as hostess for Lutheran Schools' Week. Kaitlin also works with the local food bank and on various school fundraisers. She is active in her church youth group, cheerfully volunteers her services when asked and often seeks out other opportunities to serve.

She and all of the other AAA winners deserve our thanks and applause.

On behalf of the Senate, I extend congratulations and thanks to these young women. They are assets to their communities, and their families and neighbors should be very proud of their courage and dedication.

I would also like to recognize the American Automobile Association for providing the supplies and training necessary to keep the safety patrol on duty nationwide.

Since the 1920's, AAA clubs across the country have been sponsoring student safety patrols to guide and protect younger classmates against traffic accidents. Easily recognizable by their fluorescent orange safety belt and shoulder strap, safety patrol members represent the very best of their schools and communities. Experts credit school safety patrol programs with helping to lower the number of traffic accidents and fatalities involving young children.

We owe AAA our gratitude for their tireless efforts to ensure that our Nation's children arrive to and from school safe and sound. And we owe our thanks to these exceptional young men and women for their selfless actions. The discipline and courage they displayed deserves the praise and recognition of their schools, their communities and the Nation.

SUZANNE PEARSON RETIREMENT

Mr. THURMOND. Madam President, I am proud to have co-sponsor with Senator BYRD a resolution which the Senate adopted on April 30 commending Ms. Suzanne Pearson, who retired from the Senate on December 31, 2001. While serving as President pro tempore of the Senate, I had the pleasure of overseeing the work of the Office of the Legislative Counsel and, in particular, of working with Suzanne in her position as Office Manager.

I wish to join with Senator BYRD, and with all Senators, in expressing our deepest gratitude to Suzanne Pearson for her long years of service to the U.S. Senate. She has been part of the Office of the Legislative Counsel for almost 32 years, including the last 10 years as Office Manager; during that time she has provided valuable assistance to me and to my staff.

I and my staff appreciated the great dedication and professionalism she displayed in her work for the Senate. I know that her departure will leave a void that is difficult to fill. In adopting this resolution, the Senate recognizes her years of commitment to the Senate.

Madam President, I wish Suzanne Pearson well in her retirement.

COLOMBIA'S PRICE BAND SYSTEM

Mr. CLELAND. Madam President, today I have submitted an amendment to address the treatment of certain American industries by Andean nations. Specifically, I am concerned with the detrimental effect the Colombian government's use of the price band system, as it applies to pet food, is having on the U.S. pet food industry and the farmers who provide the raw materials used in the production of pet food. As a Senator from Georgia, this issue is of particular concern to the poultry farmers in my State who supply a large amount of the poultry and poultry byproduct used in the production of pet food for export to Colombia.

I note that the Andean Trade Promotion and Expansion Act requires a country to demonstrate a commitment to undertake its obligations under the WTO before it can be designated a beneficiary country. It appears that Colombia's application of the price band system as it applies to pet food is a violation of Colombia's WTO obligations. Pursuant to the WTO, a developing nation, such as Colombia, is required to request and be granted a ''reservation'' if it is going to impose the price band system on a particular product. The Colombian government failed to acquire a reservation for either wet or dry pet food. Therefore, Colombia's application of the price band system to pet food is in violation of the WTO.

It is my expectation that in reviewing the eligibility criteria relating to market access and WTO commitments, the U.S. Trade Representative will insist that Colombia implement its WTO commitment to remove wet and dry pet food from the price band system, and apply the 20 percent common external tariff to imported pet food as required by Andean Community law.

TRADE PROMOTION AUTHORITY

Mr. KYL. Madam President, since trade-promotion authority lapsed in 1994, America has stood on the sidelines while other countries have brokered trade agreements that benefit their workers, their businesses, and their economies. Soon after taking office, President Bush called on Congress to grant him trade-promotion authority to reassert America's leadership in promoting U.S. goods and the expertise of our workforce to more markets. The House has acted, the Senate Finance Committee has acted, and it is now time for the full Senate to deliver.

Exports accounted for more than one-fourth of U.S. economic growth in the 1990s. Jobs depending on exports pay wages that are an estimated 13 to 18 percent higher than the national average. One in ten American workers, 12 million people, work at jobs that depend on exports of goods and services. Trade is good for American farmers and ranchers. Trade is good for American small businesses. At the most basic level, trade is essential to our country's economic growth and prosperity. Yet, every day that America delays, other countries throughout the world are entering into trade agreements without us, benefitting their workers, their farmers, their businesses and their economies at the expense of ours.

Our competitors in Europe, Asia, and Latin America have sealed deals on approximately 130 preferential trade compacts, many within our own hemisphere. Yet the United States is party to only three, with Canada and Mexico, Israel and Jordan. Without trade-promotion authority, the United States, would not be able to build on the many robust economic relationships we share with other countries throughout the world.

One such country is Australia. There are few larger, stronger, or more open economies with which the United States can negotiate a bilateral free trade agreement than Australia. Annual two-way trade between the United States and Australia is valued at $28 billion, supporting thousands of jobs in each country. The United States is Australia's largest source of imports and Australia's second largest export market. Everyone can agree that an Australia-United States Free Trade Agreement would only enhance this fruitful relationship.

Aside from being one of our closest friends and allies, Australia is a strategic trading partner in the Asia-Pacific Region. Clearly, we have a mutual stake in expanding our market presence in this region, and a U.S.-Australia Free Trade Agreement would set a benchmark for other trade agreements in the future. It would not only send a message that we are serious about the principle of open markets, but it would show what trade-promotion authority can deliver. This is just one example of why we need trade-promotion authority, but it is reason enough, and it speaks to why we must act now. I urge my colleagues to join me in support of trade-promotion authority.

LOCAL LAW ENFORCEMENT ACT OF 2001

Mr. SMITH of Oregon. Madam President, I rise today to speak about hate crimes legislation I introduced with Senator KENNEDY in March of last year. The Local Law Enforcement Act of 2001 would add new categories to current hate crimes legislation sending a signal that violence of any kind is unacceptable in our society.

I would like to describe a terrible crime that occurred May 13, 1998 in Lancaster, SC. A gay woman was brutally beaten. The assailants, two men, were heard to use anti-gay slurs during the attack.

I believe that government's first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act of 2001 is now a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

ADDITIONAL STATEMENTS

HONORING THE COMMUNITY PROBLEM SOLVING TEAM OF THE QUEST PROGRAM AT THE DR. JOHN HOWARD JR. SCHOOL IN EAST RUTHERFORD

• Mr. TORRICELLI. Madam President, I rise today to recognize the Community Problem Solving Team at the Dr. John Howard Jr. School in East Rutherford. The group, consisting of 12 fourth and fifth graders, has assisted persons who have experienced personal tragedy in their lives in hopes that they can be of help in improving their situation.

This group of youngsters has worked incredibly hard to help so many get through the most difficult of times. They have volunteered 20 times in an after school program for homeless children at the Whitney Houston School, visited the Brookhaven Health Care Center to uplift patients' spirits, and have already volunteered a total of 600 hours towards this project. The group has also collected 150 new toys to be given during the holiday season and collected over 1,500 canned goods and perishable foods for needy families and a local food pantry. Besides gathering these material goods, the Community Problem Solving Team has been able to contribute fiscally. They applied for and were awarded a $500 grant towards their cause, in addition to raising $1,180 through the sales of candy bars and lollipops. In the coming weeks the group plans to present a high school senior in their community, whose sister was tragically struck and killed by a stolen automobile, a scholarship check to help her further her education.

Through the efforts of these grade school children, many members of their community are now living happier lives. Even at their young ages, they are being active in their community and working towards making this world a better place.

I would like to take this opportunity to salute the Community Problem Solving Team at the Dr. John Howard Jr. School's for their service to the community, their countless acts of compassion, and commitment to their fellow citizens. May their spirit of service and community be a model for all of us to admire and emulate.●

IN MEMORY OF STEVE LOVATO

● Mr. DOMENICI. Madam President, I rise today to honor Steve Lovato, an outstanding individual who lost his life in service to others.

Steve Lovato was an EMT known for his strong work ethic and his helpfulness to others. His coworkers praised him for his dedication to the job, and he was well recognized for his service to the community.

Being an EMT, Steve knew that the financial reward would not be great. He would often face many dangers that are inherent with the job. However, Steve liked doing what was right and worked as an EMT because he wanted to help people. That is why it saddens me to know of the tragic loss of this noble individual.

Nearly two months ago, Steve and his partner, Margie Muccie, responded to a 911 call where a man, Paul Freeman, had been injured by a burning home. While trying to give Mr. Freeman medical attention, the mentally unstable individual pulled out a gun and shot and killed Steve. He also killed Roswell Fire Chief, Louis Jones, and his good Samaritan neighbor who had called for help, Randy Houghton. Randy's son was also critically injured by Mr. Freeman.

This terrible event has had a profound effect on the community of Roswell. It has also deepened my resolve to address issues that affect the mentally ill. I have long worked to help people who suffer from diseases of the brain, and I believe that better treatment options for Mr. Freeman could have prevented this terrible tragedy. I will continue to seek out the best possible ways to help those that suffer from mental illness.

Steve made the ultimate sacrifice in service to others; he lost his life in the line of duty. I am proud to have represented a man like Steve, and I send my heartfelt condolences to his wife, Josephine, and his son, Alex. He went above and beyond the call of duty and showed unparalleled compassion for his fellow man. I am proud to honor him here today and to know of his heroic efforts.

I also wish to express my greatest sympathies to the friends and families of Louis Jones and Randy Houghton. These men should also be honored for their efforts in trying to help others.●

IN CELEBRATION OF MRS. LOLA V. GIBBS' 100TH BIRTHDAY

● Mr. CARPER. Madam President, I would like to set aside a moment to reflect on the life of Mrs. Lola V. Gibbs, a longtime educator, community and civic leader. She has made a lasting impact on the generations of people and the communities she has touched. Today, I rise to celebrate her 100 years of life.

Born the only daughter of Tabitha and George Gibbs on Easter Sunday, 1902, Lola enjoyed a childhood home filled with the laughter of foster children. Her family owned a farm, and together Lola and her father planted vegetables and tended to crops. At the age of seven, Lola began her education in a one-room schoolhouse. She attended high school at State College, graduating in a class of four. It was the degree she earned from the larger West Chester Normal College, in the company of other African Americans, which shaped the woman she would become.

Lola was assigned to Reeves Crossing School, teaching students in her hometown school in Woodside. Inspired by the excitement of her pupils, she became interested in 4–H. Before long, she organized the Woodside Silver Leaf 4 H Club, which was quickly recognized throughout the state for excellence. She would be a 4–H leader for 55 years.

Lola married Edward, whom she met at West Chester Normal, in the spring of 1931. They wed in her rose garden and honeymooned in Washington, DC. In September 1936, Lola and Edward were blessed with their son Edward B. Gibbs, Jr.

Never complacent, Lola Gibbs went back to college. With her son just a year old, she enrolled in classes and earned a second degree before returning to Woodside to run her own classroom again. Lola's students spanned four grades. When attendance dropped, she moved to a two-room schoolhouse in nearby Viola, instructing children, many of whom she had taught before-in grades four, five and six. She organized another 4–H club, called the Viola Jolly 26. The club quickly became the largest in Delaware.

Upon her retirement, Lola V. Gibbs was appointed president of the Kent County Teachers Association. In the years that followed, she became active in the Eastern Star, AARP and the Women's Auxiliary of the Smyrna Home for the Critically Ill.

A life member of Star Hill AME Church, Lola focuses much of her energy on the success of the congregation's Historical Society. Both her church and her community were stops on the Underground Railroad. Both benefit from her pride in her heritage.

Lola V. Gibbs is an active, independent woman of many talents and gifts. She has four grandchildren and five great-grandchildren. In 2000, Mrs. Gibbs renewed her driver's license, driving her Ford station wagon throughout Kent County, DE. Until just a few years ago, she continued to play the organ for her church.

Today, I rise both to celebrate Lola's one hundred years and the life she breathes into her community. To her grandchildren and great-grandchildren she will leave a legacy of determination, tenacity, and kindness. With pride in her students, her family, her heritage and her community, she is living proof that a life filled with good works is a good life indeed.●

TRIBUTE TO LOUIS WYMAN

● Mr. SMITH of New Hampshire. Madam President, I rise today to pay tribute to my personal friend, former judge and United States Congressman, Louis Wyman, who passed away Sunday, May 6. Louis, who was 85, was involved in one of the closets races in United States Senate history.

Louis left a lasting legacy. His legacy of country, state and family, will not soon be forgotten by those of us whose lives he touched so deeply. He was a loving husband, father and grandfather to his wife Virginia, his children Jo Ann and Louis II, and two grandchildren.

Louis Wyman was elected to serve in the United States Congress from New Hampshire's 1st Congressional District in 1962. Louis served five terms in the House of Representatives before deciding to run for the Senate in 1974. In the closest race in Senate history, Louis won the seat by only 2 votes. He served briefly in the Senate, after which a special election was held and John Durkin was awarded the seat.

In 1938 Louis graduated from the University of New Hampshire with honors and from Harvard University Law School, in 1941, cum laude. Louis was named attorney general of New Hampshire in 1953, and in 1957 was elected president of the National Association of Attorneys General. He returned to the State over the course of many years to practice law.

Louis' impact on the State of New Hampshire will not be forgotten. He touched many lives over the years through his many judicial and political pursuits. Louis was instrumental in preventing the closure of Portsmouth Naval Shipyard. Citizens of the Granite State were fortunate to have such invaluable aid.

While serving on the sub-committee of defense, Louis was an effectual supporter in the development of the F–18 fighter jet and the AEGIS Missile. During this time, Louis was a leader in the early funding for the moon landing project.

From the hallways of Capitol Hill to the law offices of New Hampshire, Louis Wyman touched many lives, and left his mark in U.S. Senate history. He will not be forgotten.●

RECOGNITION OF MAYOR TOM MENINO'S ACCOMPLISHMENT TO LEAD THE U.S. CONFERENCE OF MAYORS

● Mr. KERRY. Madam President, I am proud to join in celebrating an extraordinary milestone for my friend, Mayor

Tom Menino, an honor shared by all the people of Boston who have benefitted from Tom's remarkable leadership in our city. A reflection of all that he has accomplished and continues to achieve, Mayor Tom Menino ascends to the position of President of the U.S. Conference of Mayors. I am proud to join his family, staff and colleagues across the country in congratulating him as he embarks on this new challenge.

Since his election as Mayor in 1993, Tom Menino has been tireless in his efforts to make the nation's greatest city even stronger. As he begins his term as President of the Conference, mayors from across the country will find in Tom a friend and a national trail blazer as the chief spokesperson and leader of their efforts.

Tom Menino's record of achievement already serves as a blueprint for our nation's cities; in 2001 he was recognized by Governing Magazine as ''Public Official of the Year,'' dubbing him the ''Main Streets Maestro.'' Mayors from cities from Houston, Detroit to Philadelphia have come to Boston to study Tom's approach to governing, and each has returned to their own city and implemented a piece of Boston's success story. After a recent Boston visit, Mayor O'Malley returned to Baltimore to open an Office of Neighborhoods, borrowing a page from the Menino play book.

But it is in the neighborhoods of Boston where the results of his hands-on management style are most visible. In places like Grove Hall and Jackson Square, new businesses are starting up, community development corporations are working hand-in-hand with the Mayor to jump start new developments and rehabilitate old buildings, and small, locally-owned businesses are flourishing in all corners of the city.

But do not take my word for it, just look at the statistics: Crime rates are dramatically lower than 10 years ago; the public school drop-out rate has been cut in half during Tom's time in office; and almost 70 percent of Boston's high school graduates continue on to college. Mayor Menino's work on behalf of the children of Boston reflects a long term commitment that reaches far into the future: He has almost doubled the number of immunized children; launched a youth literacy campaign that has been replicated in over 100 other U.S. cities; and Tom Menino is the first mayor of a major city to completely wire the school system to the Internet. Mayor Menino has partnered with the Ten Point Coalition and other violence prevention groups to create successful programs like Operation Ceasefire and ''2 to 6'', that target the city's at risk youth with activities and structure during those crucial after school hours.

I am proud to stand shoulder-to-shoulder with Tom Menino as we move ahead and continue our work together on improving public schools, increasing the availability of affordable housing and making our streets as safe as they can be. He is a dedicated and talented public servant, one whom I am fortunate to call a colleague and friend, and I join the whole Massachusetts delegation and mayors across the State in congratulating him on his Presidency of the U.S. Conference of Mayors.●

HONORING DR. FOREST F. SHELY

● Mr. BUNNING. Madam President, I have the distinct honor of rising today to recognize one of Kentucky's finest citizens, Dr. Forest F. Shely.

At the recently held 53rd Annual Awards Dinner of the Campbellsville/Taylor County Chamber of Commerce, Dr. Shely was named ''Citizen of the Year.'' Dr. Shely was duly recognized for his unwavering commitment to family, church, career, and community. He has been a devoted and loving husband for 55 years. He raised five wonderful children of his own and is currently the proud grandfather of eight and great-grandfather of four. Dr. Shely has also been a key figure in his church for many years, serving as a Deacon, Sunday School teacher, and Gideon. Throughout his career in medicine, Dr. Shely has touched thousands of lives delivering babies, healing the sick, and comforting the dying. Finally, Dr. Shely serves on the university board of trustees, the Citizens Bank board, the library board, the Rotary Club and is the past president of the hospital medical staff.

To say that Dr. Forest F. Shely has lived life to the fullest would be a gross understatement. I am extremely honored to serve such an amazing husband, father, doctor, and community leader. I ask that my fellow colleagues join me in praising Dr. Shely for his dedication to Kentucky.●

IN MEMORY OF MSGR. GEORGE HIGGINS, AMERICA'S ''LABOR PRIEST''

● Mr. KENNEDY. Madam President, when I learned of the death of Msgr. George G. Higgins, I was saddened to lose a friend and one of the most passionate workers' advocates of our time.

For half a century, Msgr. Higgins was the workers' priest. He was a leading advocate of workers rights, but his interests went beyond labor to issues of justice and peace, human and civil rights, discrimination. Through his writings and teachings, he helped show the connections between these vital issues and his deep faith.

He left his mark on the lives of America's workers through his roles as writer, lecturer, lobbyist, negotiator, and leader. It is said that Msgr. Higgins never turned down an invitation to a labor meeting if he was able to be there. He was no stranger to picket lines, stopping by to lend an inspirational word to workers and to show his support.

Msgr. Higgins played a central role in the negotiations between grape growers and the newly unionized farm workers in the early 1970s. United Farm Workers leader Cesar Chavez said in 1980 that no one in the country did more for farm workers than Msgr. Higgins.

He played a key role as a liaison between the independent Polish labor union Solidarity and American unions at a time when Solidarity was struggling for its very survival in the early 1980s.

In 2000, President Clinton awarded him the Presidential Medal of Freedom, the nation's highest civilian honor, for his commitment to workers' rights, civil rights and religious tolerance. Last year, he was conferred the University of Notre Dame's prestigious Laetare Medal.

Msgr. Higgins believed that unions are central to democracy and the improvement of the plight of workers. He insisted that Catholic institutions welcome unionization and negotiate in good faith with their employees.

AFL–CIO President John F. Sweeney said of Msgr. Higgins that, ''He has been an irresistible force in bringing labor and church together. . . . We respect him for his strength, we revere him for his conscience, we stand in awe of his intellect and we thank him for his love.''

My thoughts and wishes are with his sisters, Bridget Doonan and Ann Maronic, as well as his nephews, nieces, grandnephews and grandnieces. We will miss America's Labor Priest. As we continue to fight for America's workers, for justice and for peace, his memory will be with us—and with all workers around the globe.●

IN RECOGNITION OF LAKE FOREST HIGH SCHOOL STUDENTS PREPARING FOR NATIONAL COMPETITION ON CONSTITUTIONAL KNOWLEDGE

● Mr. CARPER. Madam President, this May, more than 1,200 students from across the United States will visit Washington, DC to compete in the national finals of the We the People . . . The Citizen and the Constitution program. It is the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights.

I am proud to announce that a class from Lake Forest High School from Felton will represent the State of Delaware in this national event. These students, with the leadership of their teacher Amy Reed-Moore, have worked diligently to reach the national finals. Through their experience they have gained a deep knowledge and understanding of the fundamental principles and values of our constitutional democracy.

This three-day national competition is modeled after hearings in the United States Congress. The hearings consist of oral presentations by high school students before a panel of adult judges

on constitutional topics. The students' testimony is followed by a period of questioning by the judges who probe their depth of understanding and ability to apply their knowledge.

Administered by the Center for Civic Education, the We the People . . . program has provided curricular materials at upper elementary, middle and high school levels for more than 26.5 million students nationwide. The program affords students a working knowledge of our Constitution, Bill of Rights, and the principles of democratic government.

It is inspiring to see these young people advocate the principles of our government, particularly in the aftermath of the tragedy on September 11. These principles identify us as a people and bind us together as a Nation. It is important for our next generation to understand the values and principles that serve as the foundation in our ongoing effort to preserve and realize the promise of democracy.

These students from Lake Forest High School are currently conducting research and preparing for their upcoming participation in the national competition in Washington, DC. I wish these young ''constitutional experts'' the best of luck at the We the People . . . national finals. They represent the future of our State and Nation.●

TRIBUTE TO MARY CATHERINE MORIN

● Mr. SMITH of New Hampshire. Madam President, I rise today to pay tribute to Mary Catherine Morin of Bedford. Mary was crowned this year's Miss New Hampshire and will compete for the Miss America title in September.

I applaud the dedication that Mary has shown in her platform as Miss New Hampshire. Her focus on the elderly and dedication to their needs and concerns serves as a positive example for all Granite Staters. Starting in her days of Girl Scouting, Mary has been a advocate for Seniors. By volunteering at Harborside Healthcare in Bedford and serving on the public relations committee for the Manchester Area Committee on Aging, Mary has been a positive example to the community, adding to her already deep devotion to our senior citizens.

Mary received her bachelors degree in Communications from the University of New Hampshire and now plans to pursue a Master's Degree in mass communication, with the ultimate goal of becoming a reporter for a major television network. Her experience at WMUR Channel 9 as well as working for Marie Claire magazine will certainly be an asset as she spends her year as Miss New Hampshire.

I commend Mary on her achievement and wish her continued success in the coming year. New Hampshire will be represented at the Miss America pageant and her message will reach even more people. Her dedication to our Nation's seniors is exemplary and should serve as the benchmark for today's youth. It is an honor to represent you in the U.S. Senate.●

OXNARD HARBOR DISTRICT'S 65TH ANNIVERSARY

● Mrs. BOXER. Madam President, the Oxnard Harbor District's Annual National Maritime Day Celebration will be particularly special this year, as the event will also recognize the district's 65th Anniversary on May 10, 2002.

Created in 1937, the Oxnard Harbor District owns and operates the Port of Hueneme, located in Ventura County, CA. The port greatly contributes to the economic success of California and the Nation. More than $4 billion worth of cargo moves through the port each year. In addition, the Port of Hueneme is the Nation's number one seaport for exporting citrus products and conducts business with countries including Brazil, Costa Rica, Ecuador, Germany and Japan. The Oxnard Harbor District has every reason to be proud of its outstanding accomplishments and contributions to our nation's great maritime heritage.

To help recognize the district's long history, this year's event will feature the SS *Lane Victory*, one of America's last remaining World War II Victory ships, and a National Historic Landmark. It loaded its first cargo consignment in Port Hueneme in July 1945.

To conclude, I would like to add a special word of commendation to the International Mariners Center, whose unwavering and unparalleled support has been instrumental to the Oxnard Harbor District's success.

I thank the Oxnard Harbor District for their many contributions to the community, state and Nation, and wish the staff many more years of prosperity.●

IN RECOGNITION OF THE REVEREND DR. S. HOWARD WOODSON, JR.

● Mr. TORRICELLI. Madam President, I rise today to acknowledge the Reverend Dr. S. Howard Woodson, Jr., after whom Calhoun St. in Trenton is being renamed.

It has been an honor for the State of New Jersey to have the service of an individual with the immense talents of the Reverend Woodson. In his efforts to serve the community, Reverend Woodson has used his leadership skills to effect positive change throughout the State.

After moving to Trenton in 1946 and becoming pastor of Shiloh Baptist Church, the Reverend Woodson became actively involved in the civil rights movement. As Chairman of the segregated board of the Carver YMCA, he fought to be granted independent status by the National YMCA, which led to the establishment of its own branch, freeing it from the supervision of the central office. This was a first for the Nation. During his time as President of the State Conference of the NAACP, he convinced then Governor Richard Hughes to convene the first state-wide conference on housing discrimination, out of which grew important minority housing legislation. Over the course of his political career, the Reverend Woodson had the distinction of being the first person of color elected as councilman-at-large in Trenton. He was also the first person of color to serve as Chairman of the Ranking Legislative Committee, Assistant Democratic Leader, and Speaker of the State House.

But, the impact of the Reverend Woodson extends beyond his work in the areas of civil rights and politics. Through his leadership, Shiloh Baptist Church was able to erect a new center of worship and began numerous community outreach programs such as the Clean Neighborhood Drive and a Neighborhood Get Acquainted program.

I am proud to extend my congratulations to the Reverend Woodson on this special occasion.●

IN HONOR OF PROFESSOR ZAFRA MARGOLIN LERMAN

● Mr. DURBIN. Madam President, I rise today to honor a woman who for nearly a quarter century has brought the joys of science to thousands of students in Chicago and who through every one of those years has given of herself tirelessly to ensure that anyone who sets foot in her classroom can succeed.

Zafra M. Lerman is no ordinary science teacher, and she has led no ordinary life. Born in Israel just before the second World War began, the young Zafra found high school chemistry a bore. It wasn't until she was a soldier in the Israeli Army and taking evening classes that she discovered her aptitude—and love—for the subject. Zafra went on to earn a doctorate in chemistry from Israel's renowned Weizmann Institute of Science and then did postdoctoral research at Cornell University in New York.

As remarkable as these achievements are, they are really only the beginning of a career that—though certainly filled with personal accolades—is most notable for the success of those she has guided. ''Equal access to science education is a right that belongs to all,'' she says, and she has lived by that axiom both professionally and personally. As a professor, scientist and friend, Zafra has been a mentor first and a chemistry teacher second.

In 1977, Zafra Lerman became the very first professor of science at Columbia College in Chicago, a liberal arts college that at the time didn't even have a single science course. Her first course, Chemistry in Daily Life, was filled with artists and writers and historians who hadn't the first thought of majoring in science. One day near the beginning of the school year, Zafra took a group of students to a pub at

the Congress Hotel, across the street from the college. There, she realized she could connect the unfamiliar scientific world to a world the students knew well. The alcohol in the drinks and the acid in the salad dressing became links between science and experience that brought meaning to molecules and bonds and chemical reactions.

And so began an innovative curriculum that has been as successful as it is unconventional. What began as a new way to look at science has grown into a new way of bringing the power and wonder of the subject to those who for whom learning has all too often been an unrealized privilege rather than the right Zafra Lerman believes it to be. Over the past two decades, Zafra has made it her mission to ensure that all students, regardless of their background, can experience science in a meaningful way. She has encouraged her students to explore chemistry through music and dance rather than forcing them to work behind a lab bench and has helped them learn the abstract material on their own terms.

Each week, students from the Chicago Public Schools board busses and travel to Columbia College to experience science the Lerman way. During the summer, Zafra leads a month-long ''science boot camp'' where teachers learn for themselves how to unite the realm of science with the universe of a teenager in Chicago. Over the years, more than 16,000 youths on the southwest side of Chicago have found the potential in science education and—thanks to Mother Zafra, as they call her—have for the first time seen high school as a beginning to their education rather than an end.

Zafra Lerman's work doesn't end at the shore of Lake Michigan. In addition to her devotion to the students of Chicago, she has long been a champion of international human rights. She has traveled extensively overseas—often to the most dangerous corners of the world—to help address the plight of dissident scientists in China, Russia and Belarus. She even learned the Russian language so she could converse directly with Andrei Sakharov instead of relying on the translator provided by the KGB.

I would like today to congratulate Zafra Lerman on being awarded the Charles Lathrop Parsons Award for Outstanding Public Service to Chemistry from the American Chemical Society. I assure you this is not her first honor—indeed, she is the recipient of more than three dozen well-deserved awards and grants over the past 15 years, including the prestigious Presidential Award for Excellence in Science, Mathematics and Engineering Mentoring. But I know this one means a great deal to her, for the late Franklin A. Long, her mentor at Cornell University, received the same honor in 1985 and had dreamed that she would one day follow in his footsteps.

''If I am able to see that I made a change for the better in someone's life,'' Zafra has said, ''then I know that it was a good day.'' Madam President, Zafra Lerman's life has been a collection of good days from which so many have benefitted. All of us whose lives she has touched owe her a debt of gratitude.●

NATIONAL TEACHER DAY

● Mr. HARKIN. Madam President, I come to the floor today to recognize National Teacher Day and all the hard-working, dedicated teachers that spend every day preparing our Nation's children for tomorrow.

National Teacher Day is an opportunity to let millions of teachers across the Nation know how much we value and appreciate their work. It is a chance to salute the dedicated individuals who touch the future by teaching our children.

We recognize teachers like Jennifer Erbe, the 2002 Iowa Teacher of the Year. I had the opportunity to meet Jennifer last month and was impressed with her passion for children and her ingenuity in the classroom. She is one of Iowa's youngest teachers and we not only need to find ways to keep her in the classroom but to encourage more of our best and brightest young people to enter the profession as well.

As we celebrate National Teachers Day, we must not forget that teachers need more than just a few kinds words about the work they do or a pat on the back. They don't need empty rhetoric about the importance of education but need us to provide the resources necessary to do the job right.

Last year, we passed the Elementary and Secondary Education reauthorization and talked a lot about the need for education reform and quality teachers. We are demanding greater accountability, but also promised increased federal investments. Last year we provided education with a 16 percent increase. That was a good start. However, President Bush's first budget since the passage of his education reform bill provides only 2.8 percent increase in funding, the smallest increase since 1996.

In my home State of Iowa, State budget cuts are forcing school districts to cut back on the number of teachers for the next school year. Some are laying off teachers. Others are not replacing teachers that will retire. The reality for Iowa children next fall will be larger classes and fewer opportunities.

In the next 10 years, 40 percent of Iowa teachers will retire and we need to address that problem now. That is why these lay offs are so troubling, because they are hitting the very teachers that we were counting on to offset the impending retirements.

We face many serious challenges in our nation's schools and no one worries more about the child that is getting left behind than the classroom teacher. We make sure all children succeed by providing high quality preschool programs, small class sizes, modern buildings and up-to-date teachers.

Someone once wrote, ''If you can read this, thank a teacher.'' Our words are important and take the time to thank a teacher today. But let's not just offer kind words to our teachers, let's dedicate ourselves to make sure teachers have the tools they need in the classroom to get the job done. ●

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—PM 82

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report, which was referred to the Committee on Banking, and Urban Affairs.

To The Congress of the United States:

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I am providing herewith a 6-month periodic report prepared by my Administration on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997.

GEORGE W. BUSH.

THE WHITE HOUSE, *May 7, 2002.*

MESSAGE FROM THE HOUSE

ENROLLED BILL SIGNED

At 2:58 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. An act to amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property.

The enrolled bill was signed subsequently by the President pro tempore (Mr. BYRD).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC–6736. A communication from the Assistant Secretary of Legislative Affairs, Department of State, transmitting, pursuant to law, a Certification to Congress Regarding the Incidental Capture of Sea Turtles in Commercial Shipping Operations; to the Committee on Foreign Relations.

EC–6737. A communication from the Administrator, Office of Workforce Security, Employment and Training Administration, Department of Labor, transmitting, pursuant to law, the report of a rule entitled ''Disaster Unemployment Assistance Program; Request for Comments; Interim Final Rule'' (RIN1205–AB31) received on May 2, 2002; to the Committee on Health, Education, Labor, and Pensions.

EC–6738. A communication from the Assistant Secretary for Fish and Wildlife and Parks, Fish and Wildlife Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled ''Subsistence Management Regulations for Public

Lands in Alaska'' (RIN1018–AH85) received on May 2, 2002; to the Committee on Energy and Natural Resources.

EC–6739. A communication from the Secretary of Energy, transmitting, pursuant to law, the Annual Report for the Strategic Petroleum Reserve, covering calendar year 2001; to the Committee on Energy and Natural Resources.

EC–6740. A communication from the Under Secretary of Defense, Acquisition, Technology and Logistics, transmitting, pursuant to law, a certification with respect to the CH–47F Improved Cargo Helicopter (ICH), Chemical Demilitarization Program, LPD 17 Amphibious Transport Dock Ship, Multiple Launch Rocket System (MLRS) Upgrade, Space Based Infrared System (SBIRS) High, and United States Marine Corps (USMC) H–1 Upgrades major defense acquisition programs; to the Committee on Armed Services.

EC–6741. A communication from the Secretary of Defense, transmitting, the report of a retirement; to the Committee on Armed Services.

EC–6742. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report on the amount of Department of Defense purchases from foreign entities in Fiscal Year 2001; to the Committee on Armed Services.

EC–6743. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Bureau of Labor Statistics Price Indexes for Department Stores—October 2001'' (Rev. Rul. 2001–66) received on May 2, 2002; to the Committee on Finance.

EC–6744. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Weighted Average Interest Rate Update Notice'' (Notice 2001–80) received on May 2, 2002; to the Committee on Finance.

EC–6745. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Application of Deposits for Purposes of Calculating the Failure-to-Deposit Penalty of IRC 6656'' (Rev. Proc. 2001–58) received on May 2, 2002; to the Committee on Finance.

EC–6746. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Disclosure of Returns and Return Information by Other Agencies'' ((RIN1545–AY77)(TD8698)) received on May 2, 2002; to the Committee on Finance.

EC–6747. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Expansion of Safe Harbor Provisions Under Notice 88–129'' (Notice 2001–82) received on May 2, 2002; to the Committee on Finance.

EC–6748. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Payment by Credit Card and Debit Card'' (RIN1545–AW37) received on May 2, 2002; to the Committee on Finance.

EC–6749. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''October-December 2001 Bond Factor Amounts'' (Rev. Rul. 2001–53) received on May 2, 2002; to the Committee on Finance.

EC–6750. A communication from the Chief of the Regulations Unit, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ''Optional Standard Mileage Rate for Automobiles for 2002'' (Rev. Proc. 2001–54) received on May 2, 2002; to the Committee on Finance.

EC–6751. A communication from the Chief of Regulations and Administrative Law, United States Coast Guard, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Safety/Security Zone Regulations; Ports of Houston and Galveston, Texas (COTP Houston-Galveston 02–006)'' ((RIN2115–AA97)(2002–0067)) received on May 2, 2002; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Ms. COLLINS (for herself and Mr. JOHNSON):

S. 2462. A bill to amend section 16131 of title 10, United States Code, to increase rates of educational assistance under the program of educational assistance for members of the Selected Reserve to make such rates commensurate with scheduled increases in rates for basic educational assistance under section 3015 of title 38, United States Code, the Montgomery GI Bill; to the Committee on Armed Services.

By Ms. COLLINS:

S. 2463. A bill to amend title 10, United States Code, to restrict bundling of Department of Defense contract requirements that unreasonably disadvantages small businesses, and for other purposes; to the Committee on Armed Services.

By Mr. ENZI:

S. 2464. A bill for the relief of Sammie Martine Orr; to the Committee on the Judiciary.

By Mr. GREGG (for himself and Mr. FEINGOLD):

S. 2465. A bill to extend and strengthen procedures to maintain fiscal accountability and responsibility; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

By Mr. KERRY (for himself, Mr. BOND, Mrs. CARNAHAN, and Ms. COLLINS):

S. 2466. A bill to modify the contract consolidation requirements in the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Ms. CANTWELL:

S. 2467. A bill to amend the Higher Education Act of 1965 to modify the computation of eligibility for certain Federal Pell Grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself and Ms. COLLINS):

S. 2468. A bill to amend the Workforce Investment Act of 1986 to provide for strategic sectoral skills gap assessments, strategic skills gap action plans, and strategic training capacity enhancement seed grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL:

S. 2469. A bill to amend section 171(b)(1)(D) of the Workforce Investment Act of 1998 to provide for training service and delivery innovation grants; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. CARNAHAN:

S. 2470. A bill to encourage and facilitate the security of nuclear materials and facilities worldwide; to the Committee on Armed Services.

By Mrs. MURRAY:

S.J. Res. 36. A joint resolution authorizing special awards to World War I and World War II veterans of the United States Navy Armed Guard; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. AKAKA (for himself, Mr. COCHRAN, Mr. DURBIN, Mr. LEVIN, Mr. LIEBERMAN, Mr. VOINOVICH, Ms. COLLINS, and Mr. THOMPSON):

S. Res. 261. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the nation during Public Service Recognition Week; considered and agreed to.

By Mr. AKAKA (for himself and Mr. INOUYE):

S. Res. 262. A resolution commending the University of Hawaii Warrior Men's Volleyball Team for winning the 2002 National Collegiate Athletic Association Men's Volleyball National Championship; considered and agreed to.

By Mr. KENNEDY (for himself, Mr. BROWNBACK, Mrs. FEINSTEIN, and Mr. KYL):

S. Con. Res. 106. A concurrent resolution to correct the enrollment of H.R. 3525; considered and agreed to.

By Mr. CRAIG (for himself and Mrs. FEINSTEIN):

S. Con. Res. 107. A concurrent resolution expressing the sense of Congress that Federal land management agencies should fully support the Western Governors Association ''Collaborative 10-year Strategy for Reducing Wildland Fire Risks to Communities and the Environment'', as signed August 2001, to reduce the overabundance of forest fuels that place national resources at high risk of catastrophic wildfire, and prepare a National prescribed Fire Strategy that minimizes risks of escape; to the Committee on Energy and Natural Resources.

By Mr. BURNS (for himself and Mr. REID):

S. Con. Res. 108. A concurrent resolution to designate May 4–12, 2002, as ''National Tourism Week''; considered and agreed to.

ADDITIONAL COSPONSORS

S. 550

At the request of Mr. DASCHLE, the name of the Senator from New Mexico (Mr. DOMENICI) was added as a cosponsor of S. 550, a bill to amend part E of title IV of the Social Security Act to provide equitable access for foster care and adoption services for Indian children in tribal areas.

S. 732

At the request of Mr. THOMPSON, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 732, a bill to amend the Internal Revenue Code of 1986 to reduce the depreciation recovery period for certain restaurant buildings, and for other purposes.

S. 830

At the request of Mr. CHAFEE, the names of the Senator from Oregon (Mr.

SMITH) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 830, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 913

At the request of Ms. SNOWE, the names of the Senator from Virginia (Mr. WARNER), the Senator from Mississippi (Mr. COCHRAN), and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 913, a bill to amend title XVIII of the Social Security Act to provide for coverage under the medicare program of all oral anticancer drugs.

S. 999

At the request of Mr. BINGAMAN, the names of the Senator from California (Mrs. BOXER), the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. BROWNBACK), and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 999, a bill to amend title 10, United States Code, to provide for a Korea Defense Service Medal to be issued to members of the Armed Forces who participated in operations in Korea after the end of the Korean War.

S. 1162

At the request of Mrs. FEINSTEIN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1162, a bill to repeal the requirement relating to specific statutory authorization for increases in judicial salaries, to provide for automatic annual increases for judicial salaries, to provide for a 9.6 percent increase in judicial salaries, and for other purposes.

S. 1278

At the request of Mrs. LINCOLN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 1278, a bill to amend the Internal Revenue Code of 1986 to allow a United States independent film and television production wage credit.

S. 1572

At the request of Ms. LANDRIEU, her name was added as a cosponsor of S. 1572, a bill to endorse the vision of further enlargement of the NATO Alliance articulated by President George W. Bush on June 15, 2001, and by former President William J. Clinton on October 22, 1996, and for other purposes.

At the request of Mr. THURMOND, his name was added as a cosponsor of S. 1572, supra.

S. 1655

At the request of Mr. BIDEN, the names of the Senator from New Jersey (Mr. TORRICELLI) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 1655, a bill to amend title 18, United States Code, to prohibit certain interstate conduct relating to exotic animals.

S. 1738

At the request of Mr. KERRY, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 1738, a bill to amend title XVIII of the Social Security Act to provide regulatory relief, appeals process reforms, contracting flexibility, and education improvements under the medicare program, and for other purposes.

S. 1761

At the request of Mr. DORGAN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 1761, a bill to amend title XVIII of the Social Security Act to provide for coverage of cholesterol and blood lipid screening under the medicare program.

S. 1829

At the request of Mrs. FEINSTEIN, the name of the Senator from Massachusetts (Mr. KENNEDY) was added as a cosponsor of S. 1829, a bill to provide for transitional employment eligibility for qualified lawful permanent resident alien airport security screeners until their naturalization process is completed, and to expedite that process.

S. 1945

At the request of Mr. JOHNSON, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 1945, a bill to provide for the merger of the bank and savings association deposit insurance funds, to modernize and improve the safety and fairness of the Federal deposit insurance system, and for other purposes.

S. 1961

At the request of Mr. GRAHAM, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1961, a bill to improve financial and environmental sustainability of the water programs of the United States.

S. 1990

At the request of Mrs. MURRAY, the name of the Senator from Vermont (Mr. JEFFORDS) was added as a cosponsor of S. 1990, a bill to establish a public education awareness program relating to emergency contraception.

S. 2039

At the request of Mr. DURBIN, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 2039, a bill to expand aviation capacity in the Chicago area.

S. 2051

At the request of Mr. REID, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of S. 2051, a bill to remove a condition preventing authority for concurrent receipt of military retired pay and veterans' disability compensation from taking affect, and for other purposes.

S. 2055

At the request of Ms. CANTWELL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 2055, a bill to make grants to train sexual assault nurse examiners, law enforcement personnel, and first responders in the handling of sexual assault cases, to establish minimum standards for forensic evidence collection kits, to carry out DNA analyses of samples from crime scenes, and for other purposes.

S. 2117

At the request of Mr. DODD, the names of the Senator from New York (Mrs. CLINTON) and the Senator from South Dakota (Mr. DASCHLE) were added as cosponsors of S. 2117, a bill to amend the Child Care and Development Block Grant Act of 1990 to reauthorize the Act, and for other purposes.

S. 2189

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 2189, a bill to amend the Trade Act of 1974 to remedy certain effects of injurious steel imports by protecting benefits of steel industry retirees and encouraging the strengthening of the American steel industry.

S. 2215

At the request of Mrs. BOXER, the names of the Senator from Arkansas (Mr. HUTCHINSON) and the Senator from Maryland (Ms. MIKULSKI) were added as cosponsors of S. 2215, a bill to halt Syrian support for terrorism, end its occupation of Lebanon, stop its development of weapons of mass destruction, cease its illegal importation of Iraqi oil, and by so doing hold Syria accountable for its role in the Middle East, and for other purposes.

S. 2227

At the request of Mr. ROCKEFELLER, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 2227, a bill to clarify the effective date of the modification of treatment for retirement annuity purposes of part-time services before April 7, 1986, of certain Department of Veterans Affairs health-care professionals.

S. 2244

At the request of Mr. DORGAN, the name of the Senator from Georgia (Mr. MILLER) was added as a cosponsor of S. 2244, a bill to permit commercial importation of prescription drugs from Canada, and for other purposes.

S. 2268

At the request of Mr. MILLER, the names of the Senator from Montana (Mr. BURNS) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2268, a bill to amend the Act establishing the Department of Commerce to protect manufacturers and sellers in the firearms and ammunition industry from restrictions on interstate or foreign commerce.

S. 2425

At the request of Mr. BAYH, the names of the Senator from New York (Mr. SCHUMER) and the Senator from New York (Mrs. CLINTON) were added as cosponsors of S. 2425, a bill to prohibit United States assistance and commercial arms exports to countries and entities supporting international terrorism.

S. 2428

At the request of Mr. KERRY, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor

of S. 2428, a bill to amend the National Sea Grant College Program Act.

S. 2433

At the request of Mr. HUTCHINSON, the name of the Senator from Arkansas (Mrs. LINCOLN) was added as a cosponsor of S. 2433, a bill to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the ''Clarence B. Craft Post Office Building.''

S. 2444

At the request of Mr. KENNEDY, the name of the Senator from South Dakota (Mr. DASCHLE) was added as a cosponsor of S. 2444, a bill to amend the Immigration and Nationality Act to improve the administration and enforcement of the immigration laws, to enhance the security of the United States, and to establish the Office of Children's Services within the Department of Justice, and for other purposes.

S. 2452

At the request of Mr. LIEBERMAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Nevada (Mr. REID) were added as cosponsors of S. 2452, a bill to establish the Department of National Homeland Security and the National Office for Combating Terrorism.

S. 2454

At the request of Mr. ENSIGN, the name of the Senator from Louisiana (Mr. BREAUX) was added as a cosponsor of S. 2454, a bill to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting.

S. RES. 244

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. LUGAR) was added as a cosponsor of S. Res. 244, a resolution eliminating secret Senate holds.

S. RES. 247

At the request of Mr. LIEBERMAN, the names of the Senator from Utah (Mr. BENNETT) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. Res. 247, a resolution expressing solidarity with Israel in its fight against terrorism.

S. CON. RES. 105

At the request of Mr. LIEBERMAN, the names of the Senator from Oregon (Mr. SMITH) and the Senator from Louisiana (Mr. BREAUX) were added as cosponsors of S. Con. Res. 105, a concurrent resolution expressing the sense of Congress that the Nation should take additional steps to ensure the prevention of teen pregnancy by engaging in measures to educate teenagers as to why they should stop and think about the negative consequences before engaging in premature sexual activity.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself and Mr. JOHNSON):

S. 2462. A bill to amend section 16131 of title 10, United States Code, to increase rates of educational assistance under the program of educational assistance for members of the Selected Reserve to make such rates commensurate with scheduled increases in rates for basic educational assistance under section 3015 of title 38, United States Code, the Montgomery GI Bill; to the Committee on Armed Services.

Ms. COLLINS. Madam President, I am pleased to be introducing the Selected Reserve Educational Assistance Act of 2002. This legislation will provide our National Guard and Reserve personnel with expanded educational opportunities at a reasonable cost. Endorsed by the 52-member Partnership for Veterans Education, the bill provides assistance and equity that is logical, fair, and worthy of a Nation that values both higher education and those who defend the freedoms that we all enjoy. Under the total force concept of our military services, a large number of Selected Reserve personnel are now on active duty to support the war on terrorism at home and abroad.

The original G.I. bill, known as the Servicemen's Readjustment Act, was enacted in 1944. That bill provided a $500 annual education stipend as well as a $50 subsistence allowance. As a result of this initiative, 7.8 million World War II veterans were able to take advantage of post-service education and training opportunities, including more than 2.2 million veterans who went on to college. My own father was among those veterans who volunteered for the war, fought bravely, and then returned to college with assistance from the G.I. bill.

Since that time, various incarnations of the G.I. bill have continued to assist millions of veterans in taking advantage of educational opportunities they put on hold in order to serve their country. New laws were enacted to provide educational assistance to those who served in Korea and Vietnam, as well as to those who served during the period in-between. Since the adoption of the total force concept and the change to an all-volunteer service, additional adjustments to these programs were made, leading up to the enactment of the Montgomery G.I. bill in 1985. It is a two-part program, one for active duty personnel and veterans and another for members of the Selected Reserve.

The value of the educational benefit assistance provided by the Montgomery G.I. bill, however, has eroded over time due to inflation and the escalating cost of higher education, making it harder for service members and veterans to achieve their educational goals. Last year, military recruiters indicated to me that the program's benefits no longer were as strong an incentive to join the military; nor did they serve as a retention toll valuable enough to persuade men and women to stay in the military, either on active duty or in the Selected Reserve. Perhaps most important, the program has been losing its value as an instrument to help our National Guard and Reserve personnel to maximize their productivity and contributions to their families and the coummunities of which they are a part by furthering their education and training.

In fact, in constant dollars, with one exception, the current G.I. bill up until January of this year provided the lowest level of assistance ever to those who served in the defense of our country. The basic benefit program of the Vietnam Era G.I. bill provided $493 per month in 1981 to a veteran with a spouse and two children. Twenty years later, a veteran in identical circumstances received only $43 more, a mere 8 percent increase over a time period when inflation had nearly doubled, and a dollar bought only half of what it once purchased.

During the first session of the 107th Congress, we were successful in addressing some of these problems. Public Law 107–103 greatly improved educational assistance benefits available under the part of the Montgomery GI bill for service members and veterans, Chapter 30. This part of the G.I. bill now provides nine monthly $800 stipends per year for four years. The total benefit is $28,800. On October 1, 2002, the monthly amount will increase to $900, producing a new total benefit of $32,400 for the four academic years, a considerable improvement that Senator JOHNSON and I worked hard to accomplish.

Now is the time to bring educational assistance program for members of the Selected Reserve, Chapter 1606, in line with Chapter 30. Current full-time assistance for the Selected Reserve is $272 per month for a total benefit of $9,792, only 34 percent of the monthly amount currently received under the Chapter 30 program. The bill that we are introducing today would raise the monthly amount of assistance for our Selected Reserve to $428, for a new total benefit of $15,408 and be comparable to the increases that have and will occur in the Chapter 30 program. The increase would be effective October 1, 2002.

The legislation that we are proposing would fulfill the promise made to our Nation's service members, help with recruiting and retention of men and women in our military, strengthen the State and national economies, and partially reflect the current costs of higher education. Now is the time to enact these modest improvements to the benefit program of the Montgomery G.I. bill for members of our National Guard and Reserve forces.

I urge all Members of the Senate to join me in support of the Selected Reserve Educational Assistance Act of 2002.

I ask unanimous consent that a letter in support of the bill be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RESERVE OFFICERS ASSOCIATION
OF THE UNITED STATES,
Washington, DC, May 6, 2002.

Hon. SUSAN M. COLLINS,
U.S. Senate,
Washington, DC.

DEAR SENATOR COLLINS, I write today on behalf of the nearly 80,000 members of the Reserve Officers Association of the United States. I understand that you intend to introduce the Selected Reserve Educational Assistance Act of 2002, legislation that would not only increase educational payments to members of the Selected Reserve, but would also tie proportional increases in the Reserve GI Bill (Chapter 1606) to increases in the active duty (Chapter 30) provisions of the bill.

ROA believes that these changes are both appropriate and timely in as much as they recognize the increased contributions and responsibilities of the Reserve components within the Total Force. Since Operation Desert Shield/Desert Storm, Reserve component support of contingency operations has increased twelve hundred percent, to the point that it now averages nearly 13,000,000 mandays per year. That figure does not include the nearly 85,000 Reservists currently on active duty in support of Operation Enduring Freedom. Moreover, there is no indication that this tempo of operations is likely to decrease anytime soon.

Your bill is a landmark in the realm of Reserve education benefits in as much as it contains provisions for automatic increases in payments that keep pace with inflation and with Active component usage. This is a great improvement to a very significant recruiting and retention program, and will doubtless, make it all the more popular and valuable to the military and to the nation as a whole in the years to come.

Again, let me thank you for support of the Reserve components of our Armed Forces and their people. If we here at ROA can be of any assistance on this matter, please do not hesitate to contact us.

Sincerely,

JAYSON L. SPEIGEL,
Executive Director.

By Ms. COLLINS:

S. 2463. A bill to amend title 10, United States Code, to restrict bundling of Department of Defense contract requirements that unreasonably disadvantages small businesses, and for other purposes; to the Committee on Armed Services.

Ms. COLLINS. Madam President, I am pleased to be introducing the Small Business Contracts Opportunity Act of 2002. This legislation would help expand opportunities for small businesses to bid on government contracts, thus allowing them to sell more products and services to Federal agencies. The bill would prohibit the consolidation of contract requirements in excess of $5 million absent a written determination that the benefits of consolidation substantially exceed the benefits of alternative contracting approaches that would involve a lesser degree of consolidation.

The Small Business Reauthorization Act of 1997, P.L. 105–135, requires Federal agencies to conduct market research to assess the potential impact of ''bundled contracts,'' and to proceed with such contracts only if the benefits of bundling substantially exceed the benefits of proceeding with separate contracts. Unfortunately, the reality is that the Department of Defense, and other Federal agencies, have narrowly interpreted these provisions of the Small Business Reauthorization Act. The result is that too many Federal contracts are so large that they are out of reach for small businesses. Yet, small businesses could perform the work if the contract requirements were divided into separate contracts rather than consolidated.

For the past several years, the evidence that contract bundling is hurting small businesses has been growing. For example, on November 16, ''Eagle Eye'' publishing released its second study on bundling since 1997, which found that the Defense Department is the biggest culprit of bundling, accounting for 82 percent of all bundled dollars. The study report goes on to say, that large businesses are the main beneficiaries of bundling, and highlights that large firms win 74 percent of all bundled dollars and 67 percent of all prime contract dollars. With the average bundling contract worth $8 million, it is no wonder small businesses receive only 9 percent of all bundled contract dollars. Eagle Eye found that the average bundled contract was 11 times larger than the average unbundled contract.

Also, according to the Eagle Eye study, major DoD bureaus remain the largest proponents of bundling. Army's 1999 bundled total was up to 22 percent since 1992 to $15.8 billion, while Navy increased only by 2 percent, but still managed to bundle $22 billion worth of contracts. Air Force bundled $18.8 billion, but offered some good news because its total is down 24 percent since 1992.

The legislation that I am proposing would require the Department of Defense to prove the cost benefit of consolidating a contract in excess of $5 million. Now is the time to enact this modest provision to ensure that our small businesses have the opportunities that they deserve to provide goods and services for the Department of Defense.

I urge all Members of the Senate to join me in support of the Contract Consolidation Act of 2002.

By Mr. GREGG (for himself and Mr. FEINGOLD):

S. 2465. A bill to extend and strengthen procedures to maintain fiscal accountability and responsibility; to the Committee on the Budget and the Committee on Governmental Affairs, jointly, pursuant to the order of August 4, 1977, with instructions that if one Committee reports, the other Committee have thirty days to report or be discharged.

Mr. FEINGOLD. Madam President, I rise today to join with my colleague from New Hampshire, Senator GREGG, to introduce a common-sense budget process bill, the Budget Enforcement Act of 2002.

In the 1990s, we took fiscally responsible actions that led to balancing the budget in 1999 and 2000 without using Social Security. But last year, the government returned to the bad habit of using the Social Security surplus to fund other government activities. We need to put an end to that practice.

The Government will not have these Social Security surpluses to use forever. In the next decade, the Baby Boom generation will begin to retire in large numbers. Starting in 2016, Social Security will start redeeming the bonds that it holds, and the non-Social Security government will have to start paying for those bonds from non-Social Security surpluses. The bottom line is that starting in 2016, the government will have to show restraint in the non-Social Security budget so that we can pay the Social Security benefits that Americans have earned.

That's why we cannot continue to enact either tax cuts or spending measures that push the government further into deficit. Before we enter into new obligations, we need to make sure that we have the resources to meet our Nation's commitment to our seniors under Social Security.

We need to return to the priority of protecting the Social Security Trust Funds. We should, as President Bush said in a March 2001 radio address, ''keep the promise of Social Security and keep the government from raiding the Social Security surplus.''

And to get the Government out of the business of using Social Security surpluses to fund other government spending, we need to strengthen our budget process. That is what the bill that Senator GREGG and I are proposing would do.

The history of budget process changes teaches that realistic budget enforcement mechanisms work. The Budget Enforcement Act of 1990, enacted with bipartisan support, with a Democratic Congress and a Republican President, deserves much credit for helping to keep the Government on that path to reduce and eventually eliminate the deficit.

A central feature of the 1990 act was the creation of caps on appropriated spending. In recent years, Congress has blown through those caps, when those caps were at unrealistic levels, and when the Government was running surpluses. But in most years of their history, appropriations caps helped to constrain the politically understandable appetite to spend without limit.

Congress has repeatedly endorsed the idea of spending caps. Congress renewed and extended the caps in the budget process laws of 1993 and 1997. And 6 of the last 8 budget resolutions have set enforceable spending caps. If budget numbers are to have any meaning, if they are not to be just wishes and prayers, then we need to have enforcement.

Our bill would reinstate and extend the caps on discretionary spending, and would do so at a realistic baseline. It would simply set those levels at those in the budget resolution reported by the Budget Committee on March 22.

And our bill maintains, without change, the separate subcaps created in the Violent Crime Act of 1994 and the Transportation Equity Act of 1998.

Like the 1990 budget law that it extends, our bill would apply budget enforcement to entitlements and taxes. It would extend the pay-as-you-go enforcement mechanism. All parts of the budget would thus be treated fairly.

Our bill would also improve the points of order that enforce the caps and pay-as-you-go enforcement. It would allow Senators to raise a point of order against specific provisions that cause the caps or pay-as-you-go discipline to be violated. This part of the bill will work very much like the important Byrd Rule that governs the reconciliation process, which is of course named after the distinguished senior Senator from West Virginia.

Under our bill, if a piece of legislation violates the caps or pay-as-you-go discipline, any Senator could raise a point of order and force a vote on any individual provision that contributes to the budget violation. If the point of order is not waived, then the provision would be stricken from the legislation.

The bill would also shut back-door ways around the caps and pay-as-you-go enforcement, by requiring 60 votes to change the caps, alter the balances of the pay-as-you-go scorecard, or direct scorekeeping.

Our bill would limit the exceptions to the point of order against emergency designations in the fiscal year 2001 budget resolution, so that all emergencies would be treated alike. Our bill would thus treat emergencies as they were treated in the text of that budget resolution when the Senate passed it on April 7, 2000, rather than in the watered-down form it had when it came back from conference with the House of Representatives.

And finally, our bill would extend for 5 years the requirement for 60 votes to waive existing points of order that enforce the Congressional Budget Act. The 60-vote requirement that gives these points of order teeth expires on September 30 this year under current law.

This is sensible budget process reform, in keeping with the best, most effective budget process enforcement that we have enacted in the past. It would make a significant contribution toward ending the practice of using the Social Security surplus to fund other government activities. And that is something that we simply must do, for our seniors, and for those in coming generations who will otherwise be stuck with the bill. I urge my colleagues to join us to cosponsor our legislation.

I ask unanimous consent that a summary of the bill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

GREGG-FEINGOLD BUDGET ENFORCEMENT ACT OF 2002

Appropriations Caps—The bill would reinstate and extend for 5 years the caps on discretionary spending, keyed to the levels in the budget resolution reported by the Budget Committee. Points of order and the threat of across-the-board cuts would continue to provide enforcement.

Pay-as-You-Go for Entitlements and Taxes—The bill would reinstate and extend the pay-as-you-go discipline that controls entitlement spending and tax law changes. Points of order and the threat of across-the-board cuts would continue to provide enforcement.

Point of Order Against Specific Provisions that Violate the Caps or Pay-as-You Go—If legislation violated the caps or pay-as-you-go enforcement, the bill would allow any Senator to raise a point of order against (and thus force a vote on) any individual provision that contributed to the budget violation. If the Senate did not waive the point of order, then the provision would be stricken from the legislation. This point of order would work just like the Byrd Rule against extraneous matter in reconciliation legislation.

Guarding Against Budget Evasions—The bill would shut back-door ways around the caps and pay-as-you-go enforcement, by requiring 60 votes to change the discretionary caps, alter the balances of the pay-as-you-go scorecard, or direct scorekeeping.

Limit Emergency Exceptions—The bill would limit the exceptions to the point of order against emergency designations in the fiscal year 2001 budget resolution, so that all emergencies would be treated alike.

Extending Existing Points of Order—The bill would extend for 5 years the requirement for 60 votes to waive existing points of order that enforce the Congressional Budget Act. The 60-vote requirement that gives these points of order teeth expires on September 30 this year under current law.

By Mr. KERRY (for himself, Mr. BOND, Mrs. CARNAHAN, and Ms. COLLINS):

S. 2466. A bill to modify the contract consolidation requirements in the Small Business Act, and for other purposes; to the Committee on Small Business and Entrepreneurship.

Mr. KERRY. Madam President, I am pleased today to be introducing legislation, the Small Business Federal Contractor Safeguard Act, designed to protect the interests of small businesses in the Federal marketplace.

As the Chairman of the Senate Committee on Small Business and Entrepreneurship, I have focused a considerable amount of energy promoting the interests of small businesses in the Federal marketplace. The legislation being introducing today marks a critical step forward in this process.

It is no secret that the Committee on Small Business and Entrepreneurship places a great deal of importance on moving legislation forward in a bipartisan manner, the members of my Committee understand we represent the interests of all of our Nation's small businesses, the most important and dynamic segment of our economy. And nowhere is the bipartisan consensus stronger than in the area of Federal procurement and ensuring that our Nation's small businesses receive their fair share of procurement opportunities. I am pleased to once again be introducing bipartisan legislation with the Committee's ranking member, Senator KIT BOND. Regardless of who has chaired the Committee during our tenure together, we have both worked hard to improve small business Federal procurement opportunities.

I am also pleased to be joined by Senator JEAN CARNAHAN, a member of the Committee on Small Business and Entrepreneurship and the Senate Armed Services Committee and Senator SUSAN COLLINS, also a member of the Senate Armed Services Committee. While small business participation in procurement activities is important throughout the Federal Government, nowhere is it more important than at the Department of Defense, which is responsible for over 63 percent of the goods and services purchased by the Federal government. The support of Senator CARNAHAN and Senator COLLINS will help ensure the success of this legislation.

The legislation we are introducing today has one ultimate purpose, to prevent Federal agencies from circumventing small business protections with regard to the practice known as contract bundling. Few issues have so strongly galvanized the small businesses contracting community as the practice of contract bundling, which occurs when procurement contracts are combined to form large contracts, often spread over large geographic areas, resulting in minimal or no small business participation.

Many supporters of the practice of contract bundling point to its cost savings. They claim it saves the taxpayer money to lump contracts together. Unfortunately, there is little evidence supporting this claim, and too many contracts are bundled without the required economic research designed to determine if a bundled contract will actually result in a cost savings.

The Small Business Administration's, SBA, Office of Advocacy, an independent body within the SBA, estimated that for every increase of 100 bundled contracts, there was a decrease of over 106 individual contracts issued to small firms. Additionally, for every $100 awarded on a bundled contract, there was a decrease of $33 to small business. The Office of Advocacy arrived at these conclusions using a conservative definition of what constitutes a bundled contract. Therefore, the negative impact on small businesses from contract bundling is likely more severe.

While seemingly an efficient and cost effective means for Federal agencies to conduct business, bundled contracts, are anti-competitive. When a Federal agency bundles contracts, it limits small businesses' ability to bid for the new bundled contract, thus limiting competition. Small businesses are consistently touted as more innovative, providing better and cheaper services then their larger counterparts. But when forced to bid for mega-contracts, at times across large geographic areas, few, if any, small businesses can be expected to compete. By driving small

business from the Federal marketplace, contract bundling will actually drive up the costs of goods and services purchased by the Federal Government because competition will be limited and our economy will be deprived of possible innovations brought about by small businesses.

Although there is current law in place intended to require Federal agencies to conduct market research before bundling a contract, loopholes in the current definition of a bundled contract allow them to often skirt these safeguards.

Our legislation changes the name ''bundled contract'' to consolidated contract, strengthens the definition of a consolidated contract, and closes the loopholes in the existing definition to prevent Federal agencies from circumventing statutory safeguards intended to ensure that separate contracts are consolidated for economic reasons, not administrative expediency.

The new definition relies on a simple premise: if you combine contracts, be it new contracts, existing contracts or a combination thereof, you are consolidating them and would need to take the necessary steps to ensure it is justified economically before proceeding.

Our legislation also alters the current Small Business Act requirements regarding procurement strategies when a contract is consolidated to include a threshold level for triggering the economic research requirements.

Previously, any consolidated contract would trigger the economic research requirements, something considered onerous by many Federal agencies and often cited as the reason for circumventing the law. The new procurement strategies section of the Small Business Act would require a statement of benefits and a justification for any consolidated contract over $2 million and a more extensive analysis, corresponding to current requirements for any consolidated contract, for consolidations over $5 million.

In order to move forward with a consolidated contract over $2 million, the agency must put forth the benefits anticipated from the contract, identify alternatives that would involve a lesser degree of consolidation and include a specific determination that the consolidation is necessary and justified. The determination that a consolidation is necessary and justified may be determined simply through administrative and personnel savings, but their must be actual savings.

In order to move forward with a consolidated contract over $5 million, an agency must, in addition to the above: conduct current market research to demonstrate that the consolidation will result in costs savings, quality improvements, reduction in acquisition times, or better terms and conditions; include an assessment as to the specific impediments to small business participation resulting from the consolidation; and specify actions designed to maximize small business participation as subcontractors and suppliers for the consolidated contract. The determination that a consolidation is necessary and justified may not be determined through administrative and personnel savings alone unless those savings will be substantial for these larger contracts.

By establishing this dual threshold system, we have placed the emphasis for the economic research on contracts more likely to preclude small business participation, while not ceding smaller contracts to the whims of a Federal agency. This change, coupled with a clear definition of a consolidated contract should be enough to garner compliance. However, if Federal agencies continue to consolidate contracts when there is no justification, fail to conduct the required economic research, or fail to provide procurement opportunities to small businesses, I would see little choice but to support legislative changes requiring punitive measures for these Federal agencies. This is a step I have been reluctant to take in the past. However, I am optimistic that such a step will not be necessary and that the fair and reasonable system established under this legislation will be effective.

I would once again like to thank my fellow sponsors, Senators BOND, CARNAHAN, and COLLINS for their support on this issue. I hope all of my colleagues will join us in supporting this bill. I ask unanimous consent that the text of the legislation be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2466

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Small Business Federal Contractor Safeguard Act''.

SEC. 2. CONTRACT CONSOLIDATION.

(a) DEFINITIONS.—Section 3(o) of the Small Business Act (15 U.S.C. 632(o)) is amended to read as follows:

''(o) DEFINITIONS.—In this Act the following definitions shall apply:

''(1) CONSOLIDATED CONTRACT; CONSOLIDATION.—The term 'consolidated contract' or 'consolidation' means a multiple award contract or a contract for goods or services with a Federal agency that—

''(A) combines discrete procurement requirements from not less than 2 existing contracts;

''(B) adds new, discrete procurement requirements to an existing contract; or

''(C) includes 2 or more discrete procurement requirements.

''(2) MULTIPLE AWARD CONTRACT.—The term 'multiple award contract' means—

''(A) a contract that is entered into by the Administrator of General Services under the multiple award schedule program referred to in section 2302(2)(C) of title 10, United States Code;

''(B) a multiple award task order contract or delivery order contract that is entered into under the authority of sections 2304a through 2304d of title 10, United States Code, or sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k); and

''(C) any other indefinite delivery or indefinite quantity contract that is entered into by the head of a Federal agency with 2 or more sources pursuant to the same solicitation.''.

(b) PROCUREMENT STRATEGIES.—Section 15(e) of the Small Business Act (15 U.S.C. 644(e)) is amended to read as follows:

''(e) PROCUREMENT STRATEGIES; CONTRACT CONSOLIDATION.—

''(1) IN GENERAL.—To the maximum extent practicable, procurement strategies used by the various agencies having contracting authority shall facilitate the maximum participation of small business concerns as—

''(A) prime contractors;

''(B) subcontractors; and

''(C) suppliers.

''(2) PROCUREMENT STRATEGY REQUIREMENTS WHEN THE VALUE OF A CONSOLIDATED CONTRACT IS GREATER THAN $2,000,000.—

''(A) IN GENERAL.—An agency official may not execute a procurement strategy that includes a consolidated contract valued at more than $2,000,000 unless the proposed procurement strategy—

''(i) specifically identifies the benefits anticipated from consolidation;

''(ii) identifies any alternative contracting approaches that would involve a lesser degree of contract consolidation; and

''(iii) includes a specific determination that the proposed consolidation is necessary and the anticipated benefits of such consolidation justify its use.

''(B) NECESSARY AND JUSTIFIED.—The head of an agency may determine that a procurement strategy under subparagraph (A)(iii) is necessary and justified if the monetary benefits of the procurement strategy, including administrative and personnel costs, substantially exceed the monetary benefits of each of the possible alternative contracting approaches identified under subparagraph (A)(ii).

''(C) ADDITIONAL REQUIREMENTS WHEN THE VALUE OF A CONSOLIDATED CONTRACT IS GREATER THAN $5,000,000.—In addition to meeting the requirements under paragraph (A), a procurement strategy that includes a consolidated contract valued at more than $5,000,000—

''(i) shall be supported by current market research that demonstrates that the consolidated contract will result in—

''(I) cost savings;

''(II) quality improvements;

''(III) reduction in acquisition cycle times; or

''(IV) better terms and conditions;

''(ii) shall include an assessment of the specific impediments to participation by small business concerns as prime contractors that result from contract consolidation;

''(iii) shall specify actions designed to maximize small business participation as subcontractors, including suppliers, at various tiers under the consolidated contract; and

''(iv) shall not be justified under paragraph (A)(iii) by savings in administrative or personnel costs, unless the total amount of the cost savings is expected to be substantial in relation to the total cost of the procurement.

''(3) CONTRACT TEAMING.—

''(A) IN GENERAL.—If the head of an agency solicits offers for a consolidated contract, a small business concern may submit an offer that provides for the use of a particular team of subcontractors for the performance of the contract (referred to in this paragraph as 'teaming').

''(B) EVALUATION OF OFFER.—The head of the agency shall evaluate an offer submitted

by a small business concern under subparagraph (A) in the same manner as other offers, with due consideration to the capabilities of all of the proposed subcontractors.

''(C) NO EFFECT ON STATUS AS A SMALL BUSINESS CONCERN.—If a small business concern engages in teaming under subparagraph (A), its status as a small business concern shall not be affected for any other purpose.''.

(c) CONFORMING AMENDMENTS.—

(1) CONFORMING AMENDMENT TO THE SMALL BUSINESS REAUTHORIZATION ACT OF 1997.—Section 414 of the Small Business Reauthorization Act of 1997 (41 U.S.C. 405 note) is repealed.

(2) CONFORMING AMENDMENTS TO THE SMALL BUSINESS ACT.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(A) in section 2(j)—

(i) by striking the subsection heading and inserting the following:

''(j) CONTRACT CONSOLIDATION.—''; and

(ii) in paragraph (3), by striking ''bundling of contract requirements'' and inserting ''contract consolidation'';

(B) in section 8(d)(4)(G), by striking ''a bundled contract'' and inserting ''a consolidated contract'';

(C) in section 15(a)—

(i) by striking ''bundling of contract requirements'' and inserting ''contract consolidation''; and

(ii) by striking ''the bundled contract'' and inserting ''the consolidated contract''; and

(D) in section 15(k)(5)—

(i) by striking ''significant bundling of contract requirements'' and inserting ''consolidated contracts valued at more than $2,000,000''; and

(ii) by striking ''bundled contract'' and inserting ''consolidated contract''.

Mr. BOND. Madam President, today I join the Senator from Massachusetts, Mr. KERRY, in introducing this important legislation on an issue of vital concern to small businesses. This bill, a truly bipartisan effort, represents one of the best opportunities in a long time to remove the current logjam on controlling contract bundling.

We often say around here that, in some cases, all that is necessary to help small business is for government policy to stop visiting harm upon them. Contract bundling is one of those harmful policies. It eliminates small businesses from competing for contracts to sell the government some of the $200 billion in goods and services it buys every year.

The Small Business Act says that small firms shall have the maximum practicable opportunity to compete for Federal contracts. This is good for small business, good for the purchasing agencies, and good for the taxpayer who pays the bills.

Small business benefits from having access to a stable revenue stream while they get up-and-running. The Small Business Act recognizes how government contracting can contribute to business development and economic renewal. For example, my HUBZone program provides contracting incentives for small firms to locate in blighted neighborhoods, helping them win Federal contracts and stabilize their revenues while they develop a nongovernmental customer base.

Federal agencies also benefit from small firms in Federal procurement. Many of the most innovative solutions to our problems, such as new technologies in defense readiness, come from small firms. Large business can be just as bureaucratic as the worst Federal agencies.

Complex chains of command, the need to consult with the corporate headquarters, and repetitive sign-offs on a new idea that have to be cleared with Accounting, Marketing, and Human Resources can stifle innovation and creativity. The absence of all these structures can make small business able to ''turn on a dime,'' deliver new innovative products at lower cost, and clobber their big competitors. Agencies trying to carry out their governmental functions can take advantage of these innovations and deliver better quality services to our constituents.

Finally, the taxpayer wins when small business competes for contracts. The more competition, the lower the prices and the higher the quality.

But contract bundling gets in the way of all those benefits. To simplify the contracting process, agencies will take a bunch of small contracts and roll them into one massive contract. The result is a contract that a small business could not perform, due to its complexity or its obligation to do work in widely disparate geographic locations. A small business owner says, ''I could not perform the contract, even if I won it. So I won't even bid.'' When that happens, we all lose.

During my tenure as Chairman of the Senate Small Business Committee, we took a stab at trying to control bundling. At that time, no statutory definition of bundling existed. It was like the Supreme Court trying to deal with pornography, we know it when we see it. In the Small Business Reauthorization Act of 1997, I pushed for a specific definition of bundling and created an administrative process to review instances of bundling. Agencies were supposed to make a determination whether a proposed bundle was ''necessary and justified.''

Since that time, we have seen agencies poke holes in that definition. For example, they say that a proposed contract represents a new requirement. Since it is new, it was never issued previously as separate smaller contracts, so it isn't bundling, they say. Now they don't have to do the ''necessary and justified'' determination.

Or, they will point to another phrase in the current definition of bundling. Currently, a bundle involves consolidating contracts in a way that makes small business participation unlikely. If they structure a tiny piece of the contract so that a small business somewhere, someday might be able to win that piece, the rest of the massive contract isn't technically bundling. Therefore, the agency doesn't have to do the determination.

This bill will close those kinds of loopholes. It builds upon some very positive language introduced in last year's Defense Authorization bill when the Senator from Michigan, Mr. LEVIN, proposed a draft during markup in the Senate Armed Services Committee. The Senator from Michigan noticed that it doesn't make sense for Federal agencies to avoid the ''necessary and justified'' determination. The goal of that process is to ask, does a proposed bundle make sense? Is it good value to the taxpayer and to the agency? Does it help or harm the vendor base that would be available to the agency in the future?

My colleague from Michigan decided it was time to make Defense agencies complete these bundling studies, to make sure we weren't doing harm to our defense readiness through these acquisition policies. I think we need to do the studies to make sure the Small Business Act is not cast aside and ignored. Suddenly, after a long impasse on this issue, the Senators from Michigan and Massachusetts and I found we had common ground on this issue.

Unfortunately, we were unable to get these positive provisions included in last year's Defense bill. That's why we are trying again. The Bush Administration sought to have a single governmentwide policy apply to all Federal agencies, not just the Defense establishment. This is a sound approach, but it would have required making changes to the governmentwide bundling policy in the Small Business Act. We were ready to agree to such a change, but our counterparts in the other body objected, citing jurisdictional claims about using an Armed Services bill to make changes in Small Business Committee jurisdiction.

The bill we offer today should overcome these problems. It would make a uniform governmentwide policy, through the Small Business Act. It is a stand-alone bill. It builds upon an approach suggested by the Armed Services Committee as a reasonable one.

I thank the Senator from Massachusetts for his work on this issue and I am pleased to have been at the table with him in crafting this proposal. I look forward to its enactment.

By Ms. CANTWELL:

S. 2467. A bill to amend the Higher Education Act of 1965 to modify the computation of eligibility for certain Federal Pell Grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL (for herself and Ms. COLLINS):

S. 2468. A bill to amend the Workforce Investment Act of 1986 to provide for strategic sectoral skills gap assessments, strategic skills gap action plans, and strategic training capacity enhancement seed grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CANTWELL:

S. 2469. A bill to amend section 171(b)(1)(D) the Workforce Investment Act of 1998 to provide for training service and delivery innovation grants; to

the Committee on Health, Education, Labor, and Pensions.

Ms. CANTWELL. Madam President, I come to the floor today to address a topic that I believe is key to the future competitiveness of our Nation, and that is the training of our workforce.

These have been tough times for the economy of my State, and certainly the economy of the Nation at large. The most recent employment data available from the Bureau of Labor Statistics have offered little comfort in Washington, which along with the other Pacific Northwest States of Oregon and Alaska, continue to have among the highest unemployment rates in the Nation.

This body moved quickly to provide immediate relief to the workers most impacted by the devastating economic impacts of the September 11th incidents, and I am proud that this Senate under the leadership of our Majority Leader was able to deliver some temporary assistance to workers who have exhausted unemployment benefits.

Nonetheless, our efforts should not stop with an unemployment insurance extension. We must continue pursuing long-term strategies for a sustained recovery. The fundamental strength of our economy lies in the working men and women of this Nation whose innovation and hard work propelled the massive economic expansion of the past decade.

The edge that will keep our workers ahead in this changing global economy is their skills. Our economy is global, linked by international markets and communications networks. The sustained success of U.S. companies depends on adaptability and innovation to survive, which means that workers themselves need to remain flexible and continually update job skills.

Even in this time of relatively high unemployment, businesses throughout the country are having hard times finding skilled workers. Last year, for example, 46 percent of American businesses had trouble finding qualified workers. Next year, 29 percent of American businesses expect that they will continue to have trouble hiring qualified workers, even in this slugish economy.

At the same time, over 3 million workers are laid off each year, but well under 500,000 receive any sort of training in response to meet the skills demands of those hiring businesses.

But meeting those skills demands, and bridging the skills gaps that persist between will not widely occur without a strong financial commitment to ensuring access to skills training programs, and ongoing efforts to maximize the effectiveness of those funds that we already invest.

The decision we make today to invest in our workers will pay off many times over in the form of a stronger economy, healthier communities, and improved quality of life.

But the persistent truth is that we are delivering a trickle of funding while faced with a tidal wave of need.

During the Easter recess, I traveled across my State, from Olympia to Kelso, Vancouver to Bellingham, the Tri-cites to Mt. Vernon, and received a great deal of feedback from Washingtonians who are seeking training, are providing it, or are serving as employers who need to hire skilled workers. And I heard similar concerns repeated in each of these areas: first, as our economy continues to change, the demand for new skills has grown; second, that the State has experienced an enormous increase in demand for skills training by individual workers, a trend that appears to be widespread throughout the Nation; but third, that far too many of those workers seeking to access training cannot get the training they need due to limited availability of slots at training institutions and the limited availability of tuition assistance.

Last month my office released an informal study of this apparent shortfall in the capacity of training systems in my state to meet emerging demand, and the results of that study were staggering to me. Tens of thousands of workers who want to upgrade their skills have only a limited ability to do so because of budgetary limitations that prevent institutions from adequately adding capacity to deliver training, and because only limited numbers of training vouchers are available through the federal job training system.

I might add that our governor has truly been a leader in expanding access to training. In response to the recent wave of layoffs in our State, he managed to add more than 1,300 additional adult worker-training slots to the state's community and technical college system. Even in the face of our state's terrible revenue crunch, Governor Locke has made that commitment, and he deserves tremendous credit for it.

But it is clear that states need additional help from the Federal Government. Workforce investment must be a national priority.

As my colleagues know, the programs authorized by the Workforce Investment Act are only in their second year of implementation. Although we still have several job-training programs offered through the Federal Government, the WIA system is clearly the centerpiece. It is the only Federal system designed to meet a broad range of worker needs, and it emerged from years of bipartisan work by Congress to consolidate at least 17 Federal programs into one system for delivering employment and training services.

Continuing our financial commitment to WIA programs at this critical stage in their development is essential to effective implementation of these system-wide reforms.

Senators KENNEDY, DEWINE, WELLSTONE, and our other colleagues took an enouous step in passing WIA in 1998. And despite bumps in the road, the system is already showing great promise. Nonetheless, as we move toward reauthorization of WIA and TANF, there are a number of issues that many of us will want to address in seeking to take the system to the next level.

We must, first and foremost, put an even higher priority on training. In developing human capital that maximizes the power of our economic engine, we must not get caught in the short-sighted quicksand of a work-first mentality. We will do ourselves a grave disservice if we simply force more people without the skills to obtain and hold a job in this dynamic economy, to work faster, in whatever job is available, often low paying jobs, rather than getting them the tools that they need to truly be self-sufficient.

Second, we must further enhance the seamlessness of our training systems. As GAO has documented in recent months, we still have partners in the WIA system that do not fully participate, and we still have numerous Federal training programs operating independently of one another, often duplicating effort and resources. We need to keep our eye on ball in this case, that the goal is to provide the highest possible service at the lowest unit cost on behalf of the customers of the system, its employment and training recipients, and we need to maximize the return on our Federal investment.

Third, in meeting these objectives, we need to maintain the flexibility of the systems while encouraging the types of activities and use of funds that will help us match skilled workers with available jobs. We need to take a serious look at whether the systems effectively balance the need for accountability with the flexibility for local boards in the use of federal dollars that is will allow them to most effectively target resources at the problems that most plague their communities.

Finally, in the short term, we must tailor all of our Federal training systems and programs to ensure the greatest possible access for workers who want to obtain training. That means that it is incumbent on us to keep the door open as wide as possible for adult students to access programs like Pell. And we must try to utilize the most current and powerful technologies to enhance the delivery of training.

Today, I am introducing three bills that are designed to build upon the existing workforce structure to expand access to training and improve its effectiveness.

The first piece of legislation would change the Pell Grant program to make certain that student financial aid is available to recently laid off workers.

A standard practice in the determination of Pell Grant eligibility for student aid is to base grant awards upon the applicant's income during the previous year. The use of tax forms for this purpose, in many cases, is the appropriate and easiest administrative method of obtaining a clear and official

statement of need. But as a result, many recently laid-off workers are often not eligible for critical financial assistance at a time when the worker's family is experiencing a dramatic decrease in income.

The legislation would explicitly provide the authority for educational institutions, after taking sufficient precautions to prevent fraud, to consider current-year income levels for applicants seeking training through Pell-eligible programs. It does this in a very narrow way, by ensuring that institutions in states with high unemployment rates consider current year financial circumstances rather than previous year, income.

The second bill also addresses issues of access and delivery of training. While many distance-learning technologies have been developed in recent years, those technologies have not necessarily reached many of those most in need of training. Many workers in need of training may not be aware of opportunities available online to engage in distance-learning training coursework and may not have sufficient access to technologies that provide the means to access such distance-learning technologies.

It may not be enough to create a distance-learning curriculum and passively provide it through an educational institution website. Rather, comprehensive solutions need to be developed that integrate curriculum innovations, technological access, and the promotion and linkage of workers in need of training with such opportunities. Additionally, sources of funding to obtain online coursework may not be available to many workers seeking to engage in such training.

The third bill that I am introducing is designed to help WIA Boards access more, high-quality information to better understand regional labor market dynamics and improve system performance with goal of identifying emerging sectors and targeting employment and training resources appropriately.

While workforce areas may be conducting research now on the employment landscape in those areas and states, those assessments and statistical labor market data collected by the Bureau of Labor Statistics is not be sufficient to provide a level of detail for identifying actual job opportunities in regional labor markets and matching available workers to those business demands. As a result, local systems may not have the information needed to most efficiently target the use of available resources and training providers may not always build curricula and programs that most effectively address local workforce needs.

This legislation is designed to make resources available to maximize employment and training resources toward meeting emerging area skills needs. I want to make clear that this is not intended to simply reinvent the wheel for areas that are already developing sectoral approaches within existing workforce development systems. But it should in fact, allow those areas to take the next step by providing funds to enhance the capacity of systems to meet area employer needs.

This is a first step on a long journey as we work to improve Federal job training systems, and it is in no way independent of the need for additional resources to grow those systems.

Each of these bills is an important component of that broader strategy and I look forward to working with my colleagues as we begin to look at the reauthorization of TANF, of WIA, and of the Higher Education Act this year and next.

By Mrs. CARNAHAN:

S. 2470. A bill to encourage and facilitate the security of nuclear materials and facilities worldwide, to the Committee on Armed Services.

Mrs. CARNAHAN. Madam President, the disintegration of the Soviet Union more than a decade ago resulted in economic and political chaos.

The Soviet Union possessed more than 10,000 nuclear weapons, and dozens of nuclear weapons production facilities sprawled across 11 time zones. As a result of the economic collapse, funding fell short for security at nuclear weapons storage and production facilities. This left dangerous amounts of deadly weapons and materials vulnerable to theft.

Since 1991, there have been countless documented cases of individuals stealing plutonium and uranium from the former Soviet Union. So far, we believe no ''nuclear smuggler'' has taken enough material to make a nuclear device. The real problem is the uncertainty of the unknown.

Since the end of the Cold War, we have done a great deal to curb the threat posed by weapons of mass destruction. The United States has taken the lead in the international community to help Russia secure its nuclear weapons and material. The Department of Defense's Cooperative Threat Reduction Program and the sister programs at the Department of Energy are truly ''defense by other means.'' The Defense Department's program is more commonly known as the Nunn-Lugar program, in recognition of its creators, my colleague from Indiana, Dick Lugar, and former Senator Sam Nunn of Georgia. Because of these two men, we face less of a threat from the Soviet Union's nuclear legacy than we would have otherwise.

The Department of Defense has focused on destroying nuclear weapons and improving security over weapons in transit and storage. The Department of Energy has focused its own threat reduction efforts on locking up uranium and plutonium that could be used in a nuclear weapon and helping develop peaceful, commercial job opportunities for weapons scientists. The investments made in these programs to secure Soviet nuclear weapons and materials have truly been in our national interest.

However, as far-reaching as these programs have been, they were not designed to address some of the terrorist threats we now face. In particular, there are three gaps in our nuclear threat reduction policies that need to be dealt with.

First, these programs do not apply to countries outside of the former Soviet Union. Second, these programs do not address the threat of radiological materials. Third, these programs do not deal with preventing terrorist sabotage of nuclear power plants.

Expanding our threat reduction programs globally is an important priority. So far, most of our efforts have focused on the dangerous situation in the former Soviet Union. This makes sense, since most of the under-secured nuclear weapons useable material is located in that part of the world.

However, we need to pay more attention to the smaller amounts of weapons material in other parts of the world that are not under tight enough lock and key. This means building up security at every type of nuclear facility worldwide, including nuclear power plants, processing facilities, storage sites and other related buildings.

We also need to start focusing on radiological materials.

And by radiological materials, I am referring to highly radioactive substances other than weapons-useable uranium or plutonium. A ''dirty bomb'' combines radioactive material that could be found at nuclear power plants, medical facilities or other industrial sites with explosives. This weapon would not be as immediately destructive as a nuclear bomb. But it would cause significant physical, environmental, economic, and psychological damage to our citizens, and to our national security.

Indeed, intelligence reports indicate that Osama bin Ladin has been actively pursuing the materials to develop a ''dirty bomb.'' In fact, he called the acquisition of weapons of mass destruction a ''religious duty.'' In addition, there have been reports of meetings between Pakistani nuclear weapons scientists and al-Qaeda operatives and between Iraqi officials and al-Qaeda representatives. We will never know what went on at these meetings. But we must take every step possible to thwart their evil plans.

Finally, we will contribute to our national security by improving nuclear power plant security outside the United States. The Department of Energy has been working for years to improve the safety of Soviet-designed nuclear power plants in the former Soviet Union and Eastern Europe. This is to prevent the possible repeat of the Chernobyl disaster.

However, to date, protecting these plants from terrorist sabotage has never been addressed. Before the tragedies of September 11, we never thought such an attack was realistic. Now that our reality has changed, we are providing greater security to protect our

power plants here at home. These efforts will serve as good models to upgrade the security at nuclear plants in Russia and elsewhere.

Today I am introducing a bill that would help bolster our national security by improving the security of all nuclear and radiological material worldwide. My bill addresses each of the three gaps in our current efforts that I have just identified.

First, it calls on the Department of Energy in cooperation with the Departments of State and Defense to develop a program that would encourage all countries to adhere to the highest security standards for their nuclear material wherever it is used or stored;

Second, it requires the Department of Energy to establish a systematic approach for securing radiological materials other than uranium and plutonium outside the United States; and

Third, it directs the Department of Energy, in consultation with the Nuclear Regulatory Commission and the International Atomic Energy Agency, to develop plans for preventing terrorist attacks on nuclear power plants outside the United States.

This bill is a cost-effective and short-term way to counter current threats to our national security and it promotes world cooperation in securing nuclear materials. Already, this bill has gained the endorsement of several world leaders in the field of nuclear non-proliferation, including: Dr William Potter, Director of the Monterey Institute's Center for Nonproliferation Studies; Dr. Graham Allison, former Assistant Secretary of Defense; and Rose Gottemoeller, former Deputy UnderSecretary at the Department of Energy.

At this time I ask unanimous consent that letters of support from each of these individuals and organizations be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

CENTER FOR NONPROLIFERATION STUDIES,
Monterey, CA, April 29, 2002.

Senator JEAN CARNAHAN,
Hart Senate Building, Washington, DC.

DEAR SENATOR CARNAHAN: As the director of the Monterey Institute's Center for Nonproliferation Studies, I have long been involved in research and training activities designed to combat the spread of weapons of mass destruction. I have focused especially on proliferation risks associated with the former Soviet Union and have sought to enhance the safety and security of fissile material and nuclear facilities in that region. As you are well aware, this task has acquired even greater urgency in the aftermath of September 11, as has the need to consolidate and secure the smaller amounts of fissile material that are inadequately safeguarded in other parts of the world.

Although the highest priority should be given to consolidating, securing, and reducing the global stocks of fissile material—the stuff of nuclear weapons—it also is important for more attention and resources to be devoted to countering nuclear threats posed by the sabotage of nuclear power plants, research reactors, and spent fuel storage sites, and the risks associated with so-called ''dirty bombs'' or radiological dispersal devices, which could be made by matching conventional explosives with radioactive source material. These dangers, while global in nature, are especially acute in Russia due to the amount of nuclear material present, the absence of adequate safeguards, and the vulnerability of many nuclear facilities to sabotage and/or terrorist attack. Although experts at Russian nuclear facilities have highlighted these vulnerabilities for a long time, their remediation has not typically been a high priority for U.S. nonproliferation assistance.

In light of these serious nuclear dangers, I strongly support your efforts to develop new legislation to counter nuclear terrorism and to improve the security of fissile and radiological material and nuclear facilities both in Russia and worldwide. In this regard, there are many useful lessons to be learned from the decade of U.S.-Russian collaboration in cooperative threat reduction, a topic many of my staff and I have analyzed carefully. Please feel free to contact me if you would like more detailed information on our prior work or if I can be of any assistance to you as you pursue your exceptionally timely and important legislation.

Sincerely,

WILLIAM C. POTTER,
Director, CNS and CRES and Institute Professor.

HARVARD UNIVERSITY,
Cambridge MA, April 30, 2002.

Senator JEAN CARNAHAN,
Hart Senate Building, Washington, DC.

DEAR SENATOR CARNAHAN: I am writing to support your draft legislation focused on addressing the threat of nuclear terrorism. As a member of the Baker-Cutler panel and a longtime Russia watcher, I have seen with my own eyes security systems for potential bomb material that would make it an easy task for terrorists to steal. As a former Senator, now Ambassador Howard Baker has testified to his colleagues on the Senate Foreign Relations Committee, ''I don't mean to be unduly philosophical or psychological about it, but it really boggles my mind that there could be 40,000 nuclear weapons, or maybe 80,000 in the former Soviet Union, poorly controlled and poorly stored, and that the world isn't in a near-state of hysteria about the danger.'' And the problem is not limited to Russia: around the world, there are dozens of facilities with enough highly enriched uranium or a bomb—some of them civilian research facilities with a single night watchman and a chain link fence providing the only security.

In the aftermath of September 11, with Osama bin Laden declaring that acquiring weapons of mass destruction is a ''religious duty,'' allowing such conditions to continue would pose an unacceptable threat to the security of the United States and the world. If a nuclear weapon were to fall in the hands of those who organized the September 11 attacks, there would be no threats and no negotiations. Tens of thousands of innocent victims would die in a flash; if the bomb were in lower Manhattan, it would destroy everything up to Grammercy Park.

That terrible vision must guide our efforts now, and our sense or urgency. We must be asking ourselves: ''on the day after a U.S. city is destroyed in a nuclear blast, what would we wish we had done to prevent it?'' And then we must take those actions now, a quickly as we practically can.

What is needed is a fast-paced, focused effort to eliminate stockpiles of potential bomb material wherever they are no longer needed, while instilling rapid security upgrades wherever these materials will remain. The goal should be to attain a stringent, global standard for security for all stockpiles of nuclear weapons and materials—for if these cannot be stolen, then terrorists cannot get the means for a nuclear attack. At the same time, we must be doing more to guard against potential Chernobyls caused by terrorist attacks on nuclear facilities or terrorist acquisition and use of radiological material for a ''dirty bomb.''

Thus the objectives outlined in your legislation are precisely what is needed. Should this legislation become law, the security of the United States would be measurably improved, and our children and grandchildren will thank you. I commend you for your leadership in this crucial endeavor. Let me know if I can be of any assistance in pushing it through.

Sincerely,

GRAHAM T. ALLISON,
Douglas Dillon Professor of International Affairs, Former Assistant Secretary of Defense.

CARNEGIE ENDOWMENT FOR INTERNATIONAL PEACE,
Washington, DC, April 12, 2002.

Senator JEAN CARNAHAN,
Hart Senate Building, Washington, DC.

DEAR SENATOR CARNAHAN: Please allow me to introduce myself. My name is Rose Gottemoeller, and I am a Senior Associate at the Carnegie Endowment. I have previously served in senior positions both in and out of the U.S. government, most recently (until October 2000) as Deputy Undersecretary of Energy for Defense Nuclear Nonproliferation, and Assistant Secretary of Energy for Nonproliferation and National Security. From 1994 to 1997, I was Deputy Director of the International Institute for Strategic Studies in London, after serving in 1993 and 1994 as the White House National Security Council Director responsible for denuclearization of Ukraine, Kazakhstan and Belarus. Prior to that time, I was at the RAND Corporation as a senior researcher on issues related to Soviet defense and arms control policy.

Based on my long experience working on nuclear security issues, I strongly believe that more needs to be done, both in the former Soviet Union and throughout the rest of the world, to ensure a safe and secure future for all Americans. For the better part of the last ten years, the United States has borne the brunt of helping Russia and its neighbors improve security of its civilian and military facilities that house weapons-useable fissile material. As you know, the United States has contributed millions of dollars to secure the Soviet nuclear legacy, but not out of altruism: it is clearly in our national interest to do so.

While I strongly believe that the support of the U.S. must continue, I now also emphasize that the only way to develop a comprehensive effort to address poorly secured nuclear materials in other parts of the world is for our friends and allies to shoulder some of the burden. The security of nuclear material is in every country's best interest, and every country should be an active participant.

Thus far, most cooperative efforts to improve the physical protection of nuclear materials have taken place in the former Soviet Union. This is logical, given that most weapons-usable fissile material is located in that region of the world, and much of it has been adequately protected since the break-up of the USSR.

However, particularly since September 11th, I believe that we all need to pay more attention to the smaller caches of fissile material that exist in other parts of the world. Many of them are not protected to a level commensurate with international standards.

It is important to note that while terrorists might have aspirations of developing advanced weapons of mass destruction, it is more likely that a terrorist organization would be able to develop a Radiological Dispersal Device (RDD). This weapon of mass disruption could be created with conventional explosives and some spent fuel or other radiological source material. To the best of my knowledge, there are no nonproliferation efforts for radiological materials. This needs to change. One approach would be to improve the physical protection of such materials, although this task would be so enormous and expensive on a worldwide basis that I believe careful priorities need to be set for such projects. It would also be important to consider emergency response and public information efforts, so that local governments and citizens will have the tools at hand to respond to such an attack.

The security of nuclear power plants has also come under scrutiny lately. The DOE has been working for years to improve the safety of Soviet-designed nuclear power plants, with significant successes. However, to date, protecting these plants from terrorist sabotage has been less of a priority, and thus has not received attention or funding. This, too, must change.

The DOE could very easily and usefully take the lessons it has learned from its experience during the last decade of cooperation with Russia and apply them to these new and evolving threats to our national security.

Therefore, I strongly support your endeavors, and am thankful for your vision in developing new legislation to address these issues. In the absence of a determined program of action, we have every reason to anticipate acts of nuclear terrorism against American targets before this decade is out.

Please feel free to contact me if I can provide you any further information or clarification. Again, thank you for your commitment to this important issue.

Sincerely yours,

ROSE E. GOTTEMOELLER,
Senior Associate.

RUSSIAN AMERICAN NUCLEAR SECURITY ADVISORY COUNCIL,
Washington, DC, May 1, 2002.

Hon. JEAN CARNAHAN,
Hart Senate Office Building,
Washington, DC.

DEAR SENATOR CARNAHAN: On behalf of the Russian-American Nuclear Security Advisory Council (RANSAC), I want to thank you for sponsoring legislation in support of expanded and improved international efforts to control nuclear and radiological materials. Few objectives are more central to ensuring international security than keeping these and other weapon of mass destruction materials out of hostile hands.

Since its inception, RANSAC and its members have been very active in promoting efforts to improve nuclear controls in Russia and the former Soviet Union. But we also believe that it is essential to engage the rest of the international community in this effort.

Since last September there has been some forward progress in programs working to reduce the global nuclear materials threat, but the pace of these efforts remains drastically out of synch with the magnitude of the risks. And, the international community must devote more time, attention, and resources—both in the former Soviet Union and the rest of the world—to diminish these obvious nuclear dangers. I applaud and support the goals of your legislation as a practical step toward accelerating and expanding these efforts.

Thank you for your leadership on this critical issue.

Sincerely,

KENNETH N. LUONGO,
Executive Director.

NUCLEAR THREAT REDUCTION CAMPAIGN

STATEMENT FROM THE NUCLEAR THREAT REDUCTION CAMPAIGN, ON THE INTRODUCTION OF THE GLOBAL NUCLEAR SECURITY ACT OF 2002

Since 1993, the International Atomic Energy Agency has documented almost 400 cases of trafficking in nuclear and other radioactive materials. Of those, 18 involved small volumes of weapons-grade plutonium or highly enriched uranium, and most of those cases originated in the former Soviet Union. Recent revelations from American intelligence officials indicate that Osama Bin Laden and his al Qaeda network have been trying to acquire radiological material to build a co-called ''dirty'' bomb for use against American targets.

At present, there are no cooperative programs to secure radiological materials in Russia or elsewhere. The Nuclear Threat Reduction Campaign (NTRC) applauds Senator Jean Carnahan (D–MO) for taking important measures to address this serious threat by introducing the Global Nuclear Security Act, 2002. In the wake of the tragic events of September 11th, Senator Carnahan's bill will begin the difficult, but necessary, process of securing radiological materials from potential terrorist theft, tighten international nuclear safety standards, and develop plans for mitigating the threat of terrorist attacks on nuclear power plants outside of the United States.

This bill supports the President's pledge that, ''Our highest priority is to keep terrorists from acquiring weapons of mass destruction.'' The Global Nuclear Security Act, 2002 is an immediate and cost-effective mechanism to counter current threats to our national security.

(The NTRC has put forth a five-part agenda encouraging Congress and the Bush Administration to: work toward a comprehensive inventory of nuclear weapons and weapons-grade materials; pass the Debt-Reduction-for-Non-Proliferation Act; sign a legally-binding agreement to reduce stockpiles of strategic weapons held by the United States and Russia; strengthen joint U.S.-Russia threat reduction and non-proliferation programs; and expand existing programs to mitigate the threat of bioterrorism. The NTRC is a project of the Vietnam Veterans of America Foundation and The Justice Project.)

Mrs. CARNAHAN. In January of this year, I traveled, with eight of my colleagues, to meet with the leaders of Pakistan, Turkey, Afghanistan, and several countries of the former Soviet Union.

We were impressed with their level of commitment to the war against terrorism, and to making the world safe from weapons of mass destruction. We are all in this struggle against terrorism together. The only way to lock up all nuclear and radiological material is for friends and allies to work together and share the burden. We will spend several billions of dollars this year to improve our homeland security, and rightly so. But we also must recognize that we are only as safe as the weakest link in the chain-link fence guarding some nuclear material in far away country.

I fully support President Bush's call to action, when he said late last year, with Russian President Putin by his side, that ''Our highest priority is to keep terrorists from acquiring weapons of mass destruction.''

I hope my colleagues will join me as well in supporting this effort.

STATEMENTS ON SUBMITTED RESOLUTIONS

SENATE RESOLUTION 261—EXPRESSING THE SENSE OF THE SENATE THAT PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE NATION DURING PUBLIC SERVICE RECOGNITION WEEK

Mr. AKAKA (for himself, Mr. COCHRAN, Mr. DURBIN, Mr. LEVIN, Mr. LIEBERMAN, Mr. VOINOVICH, Ms. COLLINS, and Mr. THOMPSON) submitted the following resolution; which was considered and agreed to:

S. RES. 261

Whereas Public Service Recognition Week provides an opportunity to honor and celebrate the commitment of individuals who meet the needs of the Nation through work at all levels of government;

Whereas over 20,000,000 men and women work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas the United States of America is a great and prosperous Nation, and public service employees have contributed significantly to that greatness and prosperity;

Whereas Americans benefit daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) help the Nation recover from natural disasters and terrorist attacks;

(2) fight crime and fire;

(3) deliver the mail;

(4) teach and work in the schools;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and national parks;

(8) improve transportation and the quality of water and food;

(9) build and maintain roads and bridges;

(10) provide vital strategic and support functions to our military;

(11) keep the Nation's economy stable;

(12) defend our freedom; and

(13) advance United States interests around the world;

Whereas public servants at the Federal, State, and local level are the first line of defense in maintaining homeland security;

Whereas for every essential service disrupted by the terrorist attacks on September 11, 2001, public servants responded quickly and effectively, many giving their lives for their country;

Whereas public servants demonstrated once again on September 11, 2001, that civil servants at every level of government are decent, hard-working men and women, committed to doing a good job regardless of the circumstances;

Whereas America's Federal employees have risen to the occasion and demonstrated professionalism, dedication, and courage during the attacks of September 11, 2001, and in their aftermath;

Whereas after September 11, 2001, thousands of Federal employees were deployed in

disaster response teams, and government employees continue to contribute in the war on terrorism as a part of their normal duties;

Whereas each agency has a role in ensuring that the Nation is secure and prosperous despite renewed attention to those agencies which are directly fighting the war on terrorism;

Whereas May 6 through 12, 2002, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week will be celebrated through job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

(1) commends government employees for their outstanding contributions to this great Nation;

(2) salutes their unyielding dedication and spirit for public service;

(3) honors those public servants who have given their lives in service to their country.

(4) calls upon a new generation of workers to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

SENATE RESOLUTION 262—COMMENDING THE UNIVERSITY OF HAWAII WARRIOR MEN'S VOLLEYBALL TEAM FOR WINNING THE 2002 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION MEN'S VOLLEYBALL NATIONAL CHAMPIONSHIP

Mr. AKAKA (for himself and Mr. INOUYE) submitted the following resolution; which was considered and agreed to:

S. RES. 262

Whereas on May 4, 2002, the University of Hawaii Warrior Men's Volleyball Team won the national championship for the first time;

Whereas the University of Hawaii defeated Pepperdine University in 4 games in the championship match, having previously defeated Penn State University in the semifinals;

Whereas this is the first national championship ever for any men's athletic program at the University of Hawaii in 30 years of NCAA Division I competition;

Whereas the victory in the championship game gave Coach Mike Wilton his first career NCAA title and his 200th victory at the University of Hawaii;

Whereas the University of Hawaii Warrior Volleyball fans are the best in the Nation, leading the country in attendance for 7 consecutive seasons;

Whereas 3-time All-American junior outside hitter Costas Theocharidis—

(1) was named the Final Four Most Outstanding Player;

(2) was the 2001 American Volleyball Coaches Association national Player of the Year; and

(3) holds a number of men's volleyball school records;

Whereas 2 University of Hawaii Warrior volleyball players, junior outside hitter Costas Theocharidis and senior middle blocker Dejan Miladinovic, were voted to the American Volleyball Coaches Association All-American first team;

Whereas the Hawaii team is representative of Hawaii's celebrated cultural diversity, with players from Hawaii, the United States mainland, Guam, Puerto Rico, Canada, Cuba, Greece, Israel, and Serbia; and

Whereas all of the team's players showed tremendous dedication throughout the season toward the goal of winning the National Championship: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Hawaii Warrior Men's Volleyball Team for winning the 2002 NCAA Men's Volleyball National Championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff, and invites them to the United States Capitol to be honored;

(3) requests that the President—

(A) recognize the achievements of the University of Hawaii men's volleyball team; and

(B) invite the team to the White House for an appropriate ceremony honoring a national championship team; and

(4) directs the Secretary of the Senate to—

(A) make available enrolled copies of this resolution to the University of Hawaii for appropriate display; and

(B) transmit an enrolled copy of this resolution to every coach and member of the 2002 NCAA Men's Volleyball National Championship Team.

SENATE CONCURRENT RESOLUTION 106—TO CORRECT THE ENROLLMENT OF H.R. 3525

Mr. KENNEDY (for himself, Mr. BROWNBACK, Mrs. FEINSTEIN, and Mr. KYL) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 106

Resolved by the Senate (the House of Representatives concurring), That, in the enrollment of the bill (H.R. 3525) to enhance the border security of the United States, and for other purposes, the Clerk of the House of Representatives shall make the following corrections:

(1) Strike section 205.

(2) In the table of contents of the bill, strike the item relating to section 205.

SENATE CONCURRENT RESOLUTION 107—EXPRESSING THE SENSE OF CONGRESS THAT FEDERAL LAND MANAGEMENT AGENCIES SHOULD FULLY SUPPORT THE WESTERN GOVERNORS ASSOCIATION ''COLLABORATIVE 10-YEAR STRATEGY FOR REDUCING WILDLAND FIRE RISKS TO COMMUNITIES AND THE ENVIRONMENT'', AS SIGNED AUGUST 2001, TO REDUCE THE OVERABUNDANCE OF FOREST FUELS THAT PLACE NATIONAL RESOURCES AT HIGH RISK OF CATASTROPHIC WILDFIRE, AND PREPARE A NATIONAL PRESCRIBED FIRE STRATEGY THAT MINIMIZES RISKS OF ESCAPE

Mr. CRAIG (for himself and Mrs. FEINSTEIN) submitted the following concurrent resolution; which was referred to the Committee on Energy and Natural Resources:

S. CON. RES. 107

Whereas catastrophic wildfires not only cause environmental damage to forests and other lands but place the lives of firefighters at risk and pose threats to human health, personal property, sustainable ecosystems, wildlife habitat, and air and water quality;

Whereas upon completion of the 2001 wildfire season, 81,681 fires burned 3,555,138 acres, which threatened rural communities nationwide and killed 15 firefighters;

Whereas more than 7,400,000 acres burned during the 2000 wildfire season—equivalent to a six-mile-wide swath from Washington, D.C., to Los Angeles, California—destroying 861 structures, killing 16 firefighters, and costing the Federal Government $1,300,000,000 in suppression costs;

Whereas an April 1999 General Accounting Office report to the United States House of Representatives, entitled ''Western National Forests: A Cohesive Strategy is Needed to Address Catastrophic Wildfire Threats'' (GAO/RCED–99–65) states that ''The most extensive and serious problem related to the health of national forests in the interior West is the overaccumulation of vegetation, which has caused an increasing number of large, intense, uncontrollable and catastrophically destructive wildfires'';

Whereas an April 2000 United States Forest Service report, entitled ''Protecting People and Sustaining Resources in Fire-Adapted Ecosystems: A Cohesive Strategy'', in response to the 1999 General Accounting Office report, confirms the previous report's conclusion and further warns that ''Without increased restoration treatments . . . , wildfire suppression costs, natural resource losses, private property losses, and environmental damage are certain to escalate as fuels continue to accumulate and more acres become high-risk'';

Whereas the July 2001 General Accounting Office testimony entitled ''The National Fire Plan: Federal Agencies Are Not Organized to Effectively and Efficiently Implement the Plan'' (GAO–01–1022T) before the United States House of Representatives Subcommittee on Forests and Forest Health reported that ''The Federal Government's decades-old policy of suppressing all wildland fires, including naturally occurring ones, have resulted in dangerous accumulations of hazardous fuels on Federal lands. As a result, conditions on 211,000,000 acres, or almost one-third of all Federal lands, continue to deteriorate'' and ''[t]he list of at-risk communities ballooned to over 22,000'';

Whereas the escaped prescribed burn that created the Cerro Grande Fire in May 2000, that consumed 48,000 acres and destroyed 400 homes with losses exceeding $1,000,000,000 in Los Alamos, New Mexico, and the escaped prescribed burn that created the Lowden Fire in 1999 that destroyed 23 homes in Lewiston, California, highlight the unacceptable risks of using prescribed burning as the sole forest fuel reduction practice by Federal land management agencies;

Whereas similar catastrophic wildfire resolutions were passed by the California Legislature (AJR 69) and Western Legislative Forestry Task Force (R00–1) in 2000 and Oregon (HJM 22), Idaho (SJM 104) and Montana (HJ 22) in 2001;

Whereas the Western Governors Association's ''Collaborative 10-year Strategy for Reducing Wildland Fire Risks to Communities and the Environment'' was signed in 2001; and

Whereas in 2000, the United States Congress provided an unprecedented $2,900,000,000 in funding for the United States Departments of Agriculture and Interior wildfire fire fighting agencies to prepare for future fire-suppression efforts and take proactive steps to reduce wildfire risk on all Federal lands: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) in the interest of protecting the integrity and posterity of United States forests and wildlands, wildlife habitats, watersheds, air quality, human health and safety, and private property, the Forest Service and other Federal land management agencies should—

(A) fully implement the Western Governors Association's ''Collaborative 10-year Strategy for Reducing Wildland Fire Risks to Communities and the Environment'', as signed August 2001, to reduce the overabundance of forest fuels that place these resources at high risk of catastrophic wildfire;

(B) use an appropriate mix of fire prevention activities and management practices, including forest restoration, thinning of at-risk forest stands, grazing, selective tree removal, and other measures to control insects and pathogens, removal of excessive ground fuels, and small-scale prescribed burns;

(C) increase the role for private, local, and State contracts for fuel reduction treatments on Federal forest lands and adjoining private properties; and

(D) pursue more effective fire suppression on Federal forest lands through increased funding of mutual aid agreements with professional State and local public fire fighting agencies;

(2) in the interest of forest protection and public safety, the Departments of Agriculture and the Interior should immediately prepare for public review a national prescribed fire strategy for public lands that creates a process for evaluation of worst-case scenarios for risk of escape and identifies alternatives that will achieve land management objectives while minimizing the risk associated with prescribed fire; and

(3) a national prescribed fire strategy for public lands as described in paragraph (2) should be incorporated into any regulatory land use planning programs that propose the use of prescribed fire as a management practice.

Mrs. FEINSTEIN. Madam President, I am pleased to support my colleague, Senator CRAIG on this concurrent resolution on protecting our Western forests from catastrophic fire.

It could not be more timely.

Unfortunately, this year is shaping up to be one of the worst fire years on record for many States in the West and for southern California in particular.

The fire season usually begins in California in early summer and can last all the way up to November.

A few years ago it became clear to me that we had a potential disaster on our hand beginning every June.

In the 106th Congress Senator DOMENICI, several of our colleagues and I worked to greatly increase funding for fire prevention.

That included millions of dollars for the removal of dead and dying and small diameter trees and thick underbrush that have accumulated in our national forests, dramatically increasing the likelihood of serious and highly destructive forest fires.

Recently, the Forest Service identified 24 million acres of land in the Continental U.S. as being at the absolute highest level of catastrophic fire risk.

Almost a full one third of this area, 7.8 million acres, lies in California; this is more than any other State.

It includes the entire Sierra Nevada mountain range, the newly designated Sequoia National Monument, it also includes the Plumas and Lassen Forests in and around the Quincy area, where forest fires in the past have destroyed homes and businesses and spotted owl habitat.

And it includes the Lake Tahoe Basin, where one-quarter of the trees are either dead or dying.

And the probability of major fire conflagration remains and grows each year. Such a fire around Lake Tahoe for instance could permanently destroy the water quality of one of the most pristine lakes in the world.

Not to mention a potential loss of life, habitat and property that could be devastating.

Each year, the Forest Service spends hundreds of millions of dollars putting out fires.

This money would be much better spent preventing fires in the first place rather than cleaning up after the fact.

And that is what our resolution seeks to address.

How did things get this way?

Well through the turn of the 20th century, the U.S. population was predominantly spread out and agrarian.

Forest fires burned naturally at fairly predictable intervals and they burned hot enough to restrict encroaching vegetation and prevent fuel from loading up on the ground, but not hot enough to kill old growths.

Forests in the U.S. survived in this fashion for literally thousands of years.

By the middle of the twentieth century, however an increasing population began to occupy new urban-wildland interface zones on what had once been forests.

Suddenly, forest fires had to be put out or suppressed in order to protect the surrounding communities.

It seemed intuitive to simply continue fighting fires as they arose and leave the forests otherwise, untouched.

So nothing was done to groom the forests, to remove the dead and dying, to reduce undergrowth, and to prevent subsequent conflagrations.

What is called fuel load has grown to astronomical proportions in many of our national forests.

Dead and dying trees which were no longer consumed by fire, lingered while brush began to build up at ground level.

Newer, different species of trees, no longer stifled by natural fire, began to crowd out some of the older growth trees.

Forests became crowded and severely fire-prone.

Newer, different species of trees, no longer stifled by natural fire, began to crowd out some of the older growth trees.

In the meantime, what we learned was that one-size does not fit all when it comes to managing our forests.

Each forest is distinct. Differences in topography, geography, flora and fauna, elevation, and climate dictate how a particular forest should be managed.

A forest in the California Sierras is different from a forest in Alaska or Pennsylvania or Idaho.

It is imperative that the Forest Service use all available tools to clean up the forests and reduce fire risks.

This includes removing dead and dying trees, thinning overgrowth, and using mechanical treatment and controlled burning.

It should also include the fuel breaks demonstrated by the Quincy Library Group Project.

If we don't use all these tools, incidents of serious fire will only continue to increase.

In California, fire susceptible Douglas and White firs have grown underneath old growth ponderosa pines.

The newer firs which are not resistant to fire, create potential fuel ladders that permit a fire to reach the tops, or crowns of old growths for the first time.

For most of recent history an old growth pine was impervious to fire since rarely did a fire reach all the way up to its crown.

Now with these relatively new fuel ladders, fire threats to old growths are very real.

Drought periods have further stressed the forest, predisposing it to insect infestations, disease and of course, severe wildfire.

California forests provide homes for dozens of endangered and threatened species including the Marbled Murrelet and the Spotted owl.

It is an understatement to say that today, the risk of fire is the most serious threat to our forests and these species.

It may be the most immediate short-term environmental threat that our western forests face.

That is why this policy of fire prevention and this resolution are so important.

And I urge my colleagues to support the Craig-Feinstein resolution.

SENATE CONCURRENT RESOLUTION 108—TO DESIGNATE MAY 4–12, 2002, AS ''NATIONAL TOURISM WEEK''

Mr. BURNS (for himself and Mr. REID) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 108

Whereas travel and tourism has a major impact on the economy of the United States as the third largest retail sales industry in the Nation;

Whereas 1 out of every 7 people employed in the United States civilian labor force is employed in the travel and tourism industry;

Whereas international travel to the United States is the largest service export, having generated a trade surplus for 13 consecutive years;

Whereas domestic and international travel generated an estimated $545,000,000,000 in expenditures in 2001, supporting more than 7,800,000 jobs, and creating more than

$94,400,000,000 in tax revenue for Federal, State, and local governments;

Whereas the slowing of the United States economy and the horrific terrorist attacks of September 11, 2001, have had a tremendous negative effect on the tourism industry;

Whereas according to the Travel Industry Association, the travel and tourism industry would suffer a $43,000,000,000 decrease in spending from domestic and international travelers due to the September 11, 2001, attacks;

Whereas the Department of Commerce has issued preliminary figures indicating that international travel to the United States decreased 11 percent between 2000 and 2001, resulting in a 45 percent decrease in the travel trade surplus (from $14,000,000,000 to $7,700,000,000), and that it may take 3 years for international travel to return to the 2000 level;

Whereas decreased spending in 2001 caused the travel and tourism industry to lose an estimated 600,000 jobs, and resulted in an estimated 3 percent decrease in tax revenues from such industry;

Whereas National Tourism Week was established by Congress in 1983, and first celebrated in May 1984, when President Ronald Reagan signed a Presidential Proclamation urging citizens to observe the week ''with appropriate ceremonies and activities;

Whereas since 1984, National Tourism Week has been celebrated each May by the Travel Industry Association of America, as well as many States, cities, and other travel industry associations: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) designates May 4–12, 2002, as ''National Tourism Week; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe National Tourism Week with appropriate ceremonies and activities.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3393. Mr. CLELAND submitted an amendment intended to be proposed to amendment SA 3386 proposed by Mr. DASCHLE to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 3393. Mr. CLELAND submitted an amendment intended to be proposed to amendment SA 3386 proposed by Mr. DASCHLE to the bill (H.R. 3009) to extend the Andean Trade Preference Act, to grant additional trade benefits under that Act, and for other purposes; which was ordered to lie on the table; as follows:

Section 204(b)(5)(B) of the Andean Trade Preference Act, as amended by section 3102, is amended by inserting the following new clauses:

''(iii) The extent to which the country complies with the Agreement on Agriculture (including Article 4) described in section 101(d)(2) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(2)).

''(iv) The extent to which the country complies with its obligation under the Agreement on the Implementation of Article VII of the General Agreement on Tariffs and Trade 1994, described in section 101(d)(8) of the Uruguay Round Agreements Act (19 U.S.C. 3511(d)(8)).''

NOTICES OF HEARINGS MEETINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that three hearings have been scheduled before the Committee on Energy and Natural Resources on S.J. Res. 34, a joint resolution approving the site at Yucca Mountain, Nevada, for the development of a repository for the disposal of high-level radioactive waste and spent nuclear fuel, pursuant to the Nuclear Waste Policy Act of 1982.

The purpose of the three hearings is to take testimony on S.J. Res. 34, the President's recommendation of the Yucca Mountain site for development of a repository, and the objections of the Governor of Nevada to the President's recommendation.

The hearings will take place on Tuesday, May 14, in SH–216; Thursday, May 16, in SH–216; and Thursday, May 23, room to be announced. Each hearing will begin at 9:30 a.m.

Because of the limited time available for the hearing, witnesses may testify by invitation only. Those wishing to submit written testimony for the hearing should e-mail it to *Amanda Goldman@energy.senate.gov* or fax it to 202–224–9026.

For further information, please contact Sam Fowler of the committee staff at (202) 224–4971.]

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to hold a hearing during the session of the Senate on Tuesday, May 7, 2002, at 9:30 a.m. in SD–366.

The purpose of this hearing is to review the outlook for this year's wildland fire season as well as assess the Federal land management agencies' state of readiness and preparedness for the wildland fire season.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. HARKIN. Mr. President, I ask unanimous conset that the Committee on Environment and Public Works be authorized to meet on Tuesday, May 7, 2002 at 11:00 a.m. to hold a hearing to receive testimony from John P. Suarez, nominee to be Assistant Administrator of the Office of Enforcement and Compliance Assurance, Environmental Protection Agency. The hearing will be held in SD–406.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, May 7, 2002 at 10:00 a.m. to hold a hearing on environmental treaties.

Agenda

Treaties

Treaty Doc. 106–32: An amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the ''Montreal Protocol''), adopted at Beijing on December 3, 1999, by the Eleventh Meeting of the Parties to the Montreal Protocol (the ''Beijing Amendment'').

Treaty Doc. 106–10: An amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the ''Montreal Protocol''), adopted at Montreal on September 15–17, 1997, by the Ninth Meeting of the Parties to the Montreal Protocol.

Treaty Doc. 103–5: A Protocol Concerning Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, done at Kingston on January 18, 1990.

Treaty Doc. 105–32: An agreement Establishing the South Pacific Regional Environment Programme, done at Apia on June 16, 1993.

Treaty Doc. 105–53: A Treaty Between the Government of the United States of America and the Government of Niue on the Delimitation of a Maritime Boundary.

Treaty Doc. 107–2: A Protocol to Amend the 1949 Convention on the Establishment of an Inter-American Tropical Tuna Commission, done at Guayaquil, June 11, 1999, and signed by the United States, subject to ratification, in Guayaquil, Ecuador, on the same date.

Witnesses

Panel 1: The Honorable John Turner, Assistant Secretary for Oceans and Environmental Scientific Affairs, Department of State, Washington, DC.

Panel 2: Mr. Thomas Grasso, Director, Marine Conservation Program, World Wildlife Fund, Washington, DC; and Dr. David Read Barker, President, Monitor International, Annapolis, MD.

The PRESIDING OFFICER. Without objection, it is so ordered.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Permanent Subcommittee on Investigations of the Committee on Governmental Affairs be authorized to meet on Tuesday, May 7, 2002, at 9:30 a.m., for a hearing entitled ''The Role of the Board of Directors in Enron's collapse.''

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AGING

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions, Subcommittee on Aging be authorized to meet for a hearing on national Family Caregiver Support

Program: Getting Behind Our Nation's Families during the session of the Senate on Tuesday, May 7, 2002, at 2:30 p.m. in SD–430.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON AIRLAND

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Airland of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 7 at 3:00 p.m. in closed session to mark up the Airland Programs and provisions contained in the Department of Defense Authorization Act for Fiscal Year 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 7 at 4:00 p.m. in closed session to mark up the personnel programs and provisions contained in the Department of Defense Authorization Act for Fiscal Year 2003.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on Tuesday, May 7, 2002 at 5:00 p.m. in closed session to mark up the readiness and management programs and provisions contained in the Department of Defense Authorization Act for Fiscal Year 2003.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. REID. Madam President, I ask unanimous consent that Sarah Lennon, a fellow in Senator CARNAHAN's office, be granted the privilege of the floor during the session of the Senate on Tuesday, May 7, 2002.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LUGAR. Madam President, I ask unanimous consent that the following detailees to the Agriculture Committee be granted privileges on the floor during debate on the farm bill: Benjamin Young, Dave White, Pat Sweeney, and Carol Olander.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WELLSTONE. Madam President, I ask unanimous consent that Erin Trenda, an intern in my office, be allowed to be on the floor during the duration of the conference report debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN CURRENCY REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following report(s) of standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

AMENDED 1ST QUARTER REPORT; CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Mary Alice Hayward:									
United States	Dollar				9,445.53				9,445.53
Kazakhstan	Dollar		442.90		66.08				508.98
Uzbekistan	Dollar		872.00		20.00		30.96		922.96
Netherlands	Dollar						10.25		10.25
Madelyn R. Creedon:									
United States	Dollar				9,445.62				9,445.62
Kazakhstan	Dollar		462.00				3.00		465.00
Uzbekistan	Dollar		930.00				115.00		1,045.00
Netherlands	Dollar						35.25		35.25
Total			2,706.90		18,977.23		194.46		21,878.59

CARL LEVIN,
Chairman, Committee on Armed Services, Apr. 10, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jeff Sessions:									
South Korea	Won		547.30				70.00		617.30
Japan	Dollar		20.00		5,464.69		2.00		5,486.69
Armand DeKeyser:									
South Korea	Won		650.00				66.00		716.00
Japan	Dollar		60.00		5,514.69		35.00		5,609.69
Archie Galloway:									
South Korea	Won		649.00				20.00		669.00
Japan	Dollar		23.00		5,504.69		30.00		5,557.69
Gary M. Hall:									
South Korea	Dollar		572.02						572.02
Japan	Dollar		24.00		5,464.69				5,488.69
Michael J. McCord:									
United States	Dollar				3,528.55				3,528.55
South Korea	Won		747.65		3.84				751.49
Japan	Yen		264.78		3.78		23.78		292.34
Maren Leed:									
South Korea	Won		854.05		11.52				865.57
Japan	Yen		238.12		3.78		24.00		265.90
United States	Dollar				3,528.55				3,528.55
George W. Lauffer:									
United States	Dollar				3,528.55				3,528.55
South Korea	Won		122.00				16.00		138.00
South Korea	Dollar		667.00						667.00
Japan	Yen		92.00						92.00
Japan	Dollar		197.00				10.00		207.00
Senator James M. Inhofe:									
Germany	Dollar		400.00		4,963.20				5,363.20

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
John A. Bonsell:									
Germany	Dollar		220.93				15.29		236.12
Italy	Dollar		63.90				4.00		67.90
United States	Dollar				4,963.20				4,963.20
Senator John McCain:									
Germany	Euro		415.67						415.67
Daniel C. Twining:									
Germany	Euro		718.00						718.00
Senator Joseph I. Lieberman:									
Germany	Dollar		394.00						394.00
Frederick M. Downey:									
Germany	Dollar		414.00						414.00
Edward H. Edens IV:									
China	Dollar		330.00		7,698.49				8,028.49
South Korea	Dollar		480.00						480.00
Japan	Dollar		586.00						586.00
Philippines	Dollar		383.00						383.00
Evelyn N. Farkas:									
China	Yuan		324.00		6,434.59				6,758.59
South Korea	Won		470.25						470.25
Japan	Yen		565.00						565.00
Philippines	Peso		366.00						366.00
Total			11,858.57		56,616.81		316.07		68,791.45

CARL LEVIN,
Chairman, Committee on Armed Services, Apr. 1, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Katherine Scheeler:									
Brazil	Dollar		770.00		2,507.50				3,277.50
Catherine Cruz-Wojtasik:									
Brazil	Dollar		1,070.00		2,507.50				3,577.50
Thomas Loo:									
Brazil	Dollar		650.00		2,507.50				3,157.50
Total			2,490.00		7,522.50				10,012.50

PAUL S. SARBANES,
Chairman, Committee on Banking, Housing, and Urban Affairs,
Apr. 12, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard Shelby			4,240.00						4,240.00
William Duhnke			3,274.00						3,274.00
Kathleen Casey			4,040.00						4,040.00
Senator John D. Rockefeller			450.00						450.00
	Dollar				6,843.33				6,843.33
Melvin Dubee			506.00						506.00
	Dollar				6,843.33				6,843.33
Senator Richard Lugar			818.00						818.00
	Dollar				4,564.66				4,564.66
Kenneth A. Myers, Jr			846.00						846.00
	Dollar				4,564.66				4,564.66
Kenneth A. Myers, III			868.00						868.00
	Dollar				4,564.66				4,564.66
Senator Mike DeWine							6,534.72		6,534.72
Laura Parker			414.00						414.00
Senator Jon Kyl			299.13						299.13
Robert Filippone			732.00						732.00
	Dollar				5,928.40				5,928.40
Paula DeSutter			1,122.00						1,122.00
	Dollar				5,928.40				5,928.40
James Barnett			1,556.00						1,556.00
	Dollar				5,306.60				5,306.60
Christopher Jackson			1,256.00						1,256.00
	Dollar				5,327.90				5,327.90
Christopher Ford			1,556.00						1,556.00
	Dollar				5,327.90				5,327.90
Robert Filippone			1,632.00						1,632.00
	Dollar				7,099.22				7,099.22
Peter Dorn			1,757.00						1,757.00
	Dollar				7,099.22				7,099.22
Total			25,366.13		69,398.28		6,534.72		101,299.13

BOB GRAHAM,
Chairman, Committee on Intelligence, Apr. 19, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Orest Deychakiwsky:									
U.S.A	Dollar				5,506.26				5,506.26
Ukraine	Dollar		661.00						661.00
U.S.A	Dollar				5,508.00				5,508.00
Ukraine	Dollar		1,238.00						1,238.00
Chadwick Gore:									
U.S.A	Dollar				4,211.43				4,211.43
Austria	Dollar		854.18						854.18
Janice Helwig:									
U.S.A	Dollar				4,209.29				4,209.29
Austria	Dollar		10,727.87						10,727.87
Representative Steny Hoyer:									
U.S.A	Dollar				4,811.75				4,811.75
Austria	Dollar		944.00						944.00
Marlene Kaufmann:									
U.S.A	Dollar				4,811.75				4,811.75
Austria	Dollar		944.00						944.00
Hamilton Thames:									
U.S.A	Dollar				7,127.42				7,127.42
Turkey	Dollar		1,109.44						1,109.44
France	Dollar		462.67						462.67
Total			16,941.16		36,185.90				53,127.06

BEN NIGHTHORSE CAMPBELL,
Chairman, Commission on Security and Cooperation in Europe,
Apr. 15, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION FOR TRAVEL FROM DEC. 28, 2001 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Ernest F. Hollings:									
Belgium	Franc		514.00						514.00
Germany	Mark		798.00						798.00
Czech Republic	Koruna		606.00						606.00
Hungary	Forint		554.00						554.00
Austria	Euro		392.00						392.00
England	Pound		1,376.00						1,376.00
Joab M. Lesesne III:									
Belgium	Franc		514.00						514.00
Germany	Mark		798.00						798.00
Czech Republic	Koruna		606.00						606.00
Hungary	Forint		554.00						554.00
Austria	Euro		392.00						392.00
England	Pound		1,376.00						1,376.00
Stephen Hartell:									
Belgium	Franc		514.00						514.00
Germany	Mark		798.00						798.00
Czech Republic	Koruna		606.00						606.00
Hungary	Forint		554.00						554.00
Austria	Euro		392.00						392.00
England	Pound		1,376.00						1,376.00
Total			12,720.00						12,720.00

FRITZ HOLLINGS,
Chairman, Committee on Commerce, Science, and Transportation,
Mar. 28, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), SENATE JUDICIARY COMMITTEE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jeffrey Miller:									
Thailand	Baht		824.91		2,469.28		150.00		3,444.19
Marcia Lee:									
Thailand	Baht		785.34		2,469.28		150.00		3,404.62
Neil Macbride:									
Thailand	Baht		928.11		2,469.28		75.00		3,472.39
David Hantman:									
Thailand	Baht		942.89		2,469.28		167.97		3,580.14
Leah Belaire:									
Thailand	Baht		945.79		2,469.28		120.00		3,535.07
Senator Maria Cantwell:									
Cuba	Dollar		276.50		313.00		92.15		681.65
Travis Sullivan:									
Cuba	Dollar		717.56		610.00		161.00		1,488.56
Caroline Fredrickson:									
Cuba	Dollar		771.85		682.00		29.70		1,483.55
Total			6,192.95		13,951.40		945.82		21,090.17

PATRICK LEAHY,
Chairman, Senate Judiciary Committee, Apr. 26, 2002.

AMENDED 1ST QUARTER 2001 CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(c), COMMITTEE ON VETERANS' AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2001

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Arlen Specter:									
Germany	Dollar		241.00						241.00
Yugoslavia	Dollar		434.00						434.00
Egypt	Dollar		223.00						223.00
Israel	Dollar		152.00						152.00
Jordan	Dollar		235.00						235.00
India	Dollar		1,376.00						1,376.00
Pakistan	Dollar		240.00						240.00
Turkey	Dollar		306.00						306.00
Netherlands	Dollar		207.00						207.00
David Urban:									
Germany	Dollar		241.00						241.00
Yugoslavia	Dollar		434.00						434.00
Egypt	Dollar		223.00						223.00
Israel	Dollar		152.00						152.00
Jordan	Dollar		235.00						235.00
India	Dollar		1,376.00						1,376.00
Pakistan	Dollar		240.00						240.00
Turkey	Dollar		306.00						306.00
Netherlands	Dollar		207.00						207.00
Seema Singh:									
India	Dollar		1,376.00						1,376.00
Pakistan	Dollar		240.00						240.00
Turkey	Dollar		306.00						306.00
Netherlands	Dollar		207.00						207.00
United States	Dollar				3,565.24				3,565.24
Total			8,957.00		3,565.24				12,522.24

ARLEN SPECTER,
Chairman, Committee on Veterans' Affairs, Apr. 15, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), MAJORITY AND REPUBLICAN LEADERS FOR TRAVEL FROM FEB. 17 TO FEB. 24, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Daniel Inouye:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Senator Ted Stevens:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Senator Olympia Snowe:									
Belgium	Euro		161.22						161.22
Pakistan	Dollar		356.06						356.06
Uzbekistan	Dollar		336.66						336.66
Italy	Euro		370.00						370.00
Senator Benjamin Nelson:									
Belgium	Euro		157.00						157.00
Pakistan	Dollar		356.00						356.00
Uzbekistan	Dollar		334.65						334.65
Italy	Euro		370.00						370.00
Senator Tim Hutchinson:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Steve Cortese:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Charlie Houy:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Sid Ashworth:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Dave Morrison:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Dr. John Eisold:									
Belgium	Euro		257.00						257.00
Pakistan	Dollar		484.00						484.00
Uzbekistan	Dollar		359.00						359.00
Italy	Euro		370.00						370.00
Delegation Expenses: [1]									
Belgium	Euro						2,129.47		2,129.47
Pakistan	Dollar						3,025.00		3,025.00
Afghanistan	Dollar						1,533.00		1,533.00
Italy	Euro						3,499.70		3,499.70
Total			14,201.59				10,187.17		24,388.76

[1] Delegation expenses include payments and reimbursements to the Department of State, under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TOM DASCHLE,
Majority Leader, Apr. 22, 2002.
TRENT LOTT,
Republican Leader, Apr. 22, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL LIEBERMAN/McCAIN FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Joe Lieberman:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		324.00						324.00
Pakistan	Dollar		304.00						304.00
Oman	Rial		202.00						204.00
Senator John McCain:									
Turkey	Dollar		155.75						155.75
Uzbekistan	Dollar		395.75						395.75
Pakistan	Dollar		335.75						335.75
Oman	Rial		173.75						173.75
Senator Fred Thompson:									
Turkey	Dollar		164.00						164.00
Uzbekistan	Dollar		414.00						414.00
Pakistan	Dollar		344.00						344.00
Oman	Rial		189.00						189.00
Senator Jack Reed:									
Turkey	Dollar		212.00						212.00
Uzbekistan	Dollar		285.00						285.00
Pakistan	Dollar		358.00						358.00
Oman	Rial		178.00						178.00
Senator Chuck Hagel:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		202.00						202.00
Senator Susan Collins:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		402.00						402.00
Pakistan	Dollar		344.00						344.00
Oman	Rial		202.00						202.00
Senator John Edwards:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		202.00						202.00
Senator Bill Nelson:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		202.00						202.00
Senator Jean Carnahan:									
Turkey	Dollar		134.00						134.00
Uzbekistan	Dollar		374.00						374.00
Pakistan	Dollar		314.00						314.00
Oman	Rial		152.00						152.00
Fred Downey:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		344.00						344.00
Pakistan	Dollar		304.00						304.00
Oman	Rial		162.00						162.00
Mark Esper:									
Turkey	Dollar		159.00						159.00
Uzbekistan	Dollar		400.00						400.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		177.00						177.00
Julia Hart:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		202.00						202.00
Elizabeth King:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		309.00						309.00
Oman	Rial		179.76						179.76
Miles Lackey:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		202.00						202.00
Andrew Parasiliti:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		202.00						202.00
Dan Twining:									
Turkey	Dollar		184.00						184.00
Uzbekistan	Dollar		424.00						424.00
Pakistan	Dollar		364.00						364.00
Oman	Rial		202.00						202.00
Delegation Expenses: [1]									
Turkey	Dollar						7,658.84		7,658.84
Uzbekistan	Dollar						11,907.30		11,907.30
Pakistan	Dollar						6,515.19		6,515.19
Oman	Rial						5,552.83		5,552.83
Cypress	Dollar						1,259.18		1,259.18
Total			17,733.76				32,893.34		50,627.10

[1] Delegation expenses include payments and reimbursements to the Department of State, and the Department of Defense under the authority of Sec. 502(b) of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TOM DASCHLE,
Majority Leader, Mar. 4, 2002.
TRENT LOTT,
Republican Leader, Mar. 5, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL DASCHLE FOR TRAVEL FROM JAN. 10 TO JAN. 19, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Tom Daschle:									
Germany	Euro		582.00						582.00
Uzbekistan	Dollar		1,626.00						1,626.00
Ireland	Euro		258.00						258.00
Senator Bob Smith:									
Germany	Euro		582.00						582.00
Uzbekistan	Dollar		1,626.00						1,626.00
Ireland	Euro		258.00						258.00
Senator Byron Dorgan:									
United States	Dollar				2,337.27				2,337.27
Germany	Euro		291.00						291.00
Uzbekistan	Dollar		1,626.00						1,626.00
Ireland	Euro		258.00						258.00
Senator Richard Durbin:									
Germany	Euro		241.00						241.00
Uzbekistan	Dollar		1,026.00						1,026.00
Ireland	Euro		258.00						258.00
Senator Mark Dayton:									
Germany	Euro		555.28						555.28
Uzbekistan	Dollar		880.33						880.33
Ireland	Euro		270.96						270.96
Tim Hogan:									
Germany	Euro		582.00						582.00
Uzbekistan	Dollar		1,126.00						1,126.00
Ireland	Euro		258.00						258.00
Denis McDonough:									
Germany	Euro		582.00						582.00
Uzbekistan	Dollar		1,126.00						1,126.00
Ireland	Euro		258.00						258.00
Russell Thomasson:									
Germany	Euro		582.00						582.00
Uzbekistan	Dollar		1,626.00						1,626.00
Ireland	Euro		258.00						258.00
Sally Walsh:									
Germany	Euro		582.00						582.00
Uzbekistan	Dollar		1,626.00						1,626.00
Ireland	Euro		258.00						258.00
Delegation Expenses: [1]									
Germany	Euro						13,865.14		13,865.14
Uzbekistan	Dollar						21,330.17		21,330.17
Pakistan	Dollar						1,186.88		1,186.88
Afghanistan	Dollar						1,040.24		1,040.24
Kyrgyzstan	Dollar						1,273.99		1,273.99
Turkmenistan	Dollar						3,142.61		3,142.61
Ireland	Euro						7,161.83		7,161.83
Total			19,202.57		2,337.27		49,000.86		70,540.70

[1] Delegation expenses include payments and reimbursements to the Department of State, under the authority of Sec. 502b of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TOM DASCHLE,
Majority Leader, Mar. 4, 2002.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), CODEL LOTT FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2002

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Trent Lott:									
South Korea	Won		436.00		7,197.50				7,633.50
Eric Womble:									
South Korea	Won		436.00		3,553.50				3,989.50
Angel Campbell:									
South Korea	Won		436.00		3,319.00				3.755.00
Delegation Expenses [1]							3,855.33		3,855.33
Total			1,308.00		14,070.00		3,855.33		19,233.33

[1] Delegation expenses include payments and reimbursements to the Department of State, under the authority of Sec. 502b of the Mutual Security Act of 1954, as amended by Sec. 22 of P.L. 95–384, and S. Res. 179 agreed to May 25, 1977.

TRENT LOTT,
Republican Leader, Apr. 2, 2002.

UNANIMOUS CONSENT REQUEST—S. 180

Mr. REID. Madam President, I ask unanimous consent that the Chair lay before the Senate a message from the House on S. 180, that the Senate disagree to the House amendment, agree to the request for a conference on the disagreeing votes of the two Houses, and that the Chair be authorized to appoint conferees.

The PRESIDING OFFICER. Is there objection?

Mr. NICKLES. Madam President, I understand there is objection on our side. I am not fully aware of what the concerns are, but at this point I object.

The PRESIDING OFFICER. Objection is heard.

Mr. REID. Madam President, I say to my friend from Oklahoma, we will work to see if this can be worked out at the staff level. Otherwise we will see what we can do at the Senate level.

Mr. DASCHLE. Madam President, I have tried again tonight to appoint conferees on the Sudan Peace Act. The House took this simple step late last year. This will be the third time we have sought consent to take this very simple procedural step. Each time our Republican colleagues have objected.

What is happening in Sudan is a travesty. The government in Khartoum, the same government, incidentally, that gave shelter to Osama bin Laden, is waging a brutal civil war against the Christians in the south of that country. We are reminded of the brutality of this war in occasional newspaper stories, but the people of that ravaged land live this brutality daily.

We all have our views on what the final Sudan Peace Act should look like,

and I understand that there is significant concern with some of the provisions of the House-passed version of this bill. That's to be expected. What is unexpected—and unacceptable—is that there would be an objection to a simple procedural step to get to conference to resolve these differences.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 816 through 823; that the nominations be confirmed; the motions to reconsider be laid on the table; any statements thereon be printed in the RECORD; the President be immediately notified of the Senate's action; and the Senate resume legislative session, with the preceding all occurring without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations were considered and confirmed as follows:

DEPARTMENT OF JUSTICE

Steven M. Biskupic, of Wisconsin, to be United States Attorney for the Eastern District of Wisconsin for the term of four years

James E. McMahon, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years

Jan Paul Miller, of Illinois, to be United States Attorney for the Central District of Illinois for the term of four years

Walter Robert Bradley, of Kansas, to be United States Marshal for the district of Kansas for the term of four years

Randy Paul Ely, of Texas, to be United States Marshal for the Northern District of Texas for the term of four years

William P. Kruziki, of Wisconsin, to be United States Marshal for the Eastern District of Wisconsin for the term of four years

Stephen Robert Monier, of New Hampshire, to be United States Marshal for the District of New Hampshire for the term of four years

Gary Edward Shovlin, of Pennsylvania, to be United States Marshal for the Eastern District of Pennsylvania for the term of four years

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will return to legislative session.

COMMENDING PUBLIC SERVANTS DURING ''PUBLIC SERVICE RECOGNITION WEEK''

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to S. Res. 261, submitted earlier today by Senators AKAKA, CONRAD, and others.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 261) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week.

There being no objection, the Senate proceeded to consider the resolution.

Mr. AKAKA. Madam President, it is with pleasure that I support a resolution commending public servants, especially our federal workforce, for their dedication and continued service to the nation during Public Service Recognition Week, which began yesterday and runs through May 12, 2002. I am delighted to be joined in this effort by Senators COCHRAN, DURBIN, LEVIN, LIEBERMAN, VOINOVICH, COLLINS, and THOMPSON.

As my colleagues know, public service is a long and honored tradition in the United States. Today, more than ever, our nation is faced with challenges that affect not only our way of life, but also the security of our country. Although we are still grappling with these changes, there has been one steady and true beacon of hope and inspiration through this uncertainty—our federal workforce. Their dedication, commitment, and tireless service have contributed greatly to the country's recovery from the tragic events of September 11th and the anthrax attacks through the U.S. Mail.

Public Service Recognition Week represents an opportunity for us to honor and celebrate the commitment of individuals who serve the needs of the nation through work at all levels of government. Public Service Recognition Week is also a time to call on a new generation to consider public service. As Chairman of the Subcommittee on International Security, Proliferation, and Federal Services, I am pleased that there is renewed interest in working for the federal government. This trend is particularly heartening given that 50 percent of our federal workforce will be eligible to retire in the next five years. I also wish to point out that every federal agency has a role in ensuring that our nation is protected and that it prospers, not just those agencies and federal employees that are directly fighting the war on terrorism.

I invite my colleagues to honor the patriotic commitment to public service that our federal employees exemplify and to join in the federal government's annual celebration. From May 9–12, 2002, there will be an extensive exhibit on the National Mall in Washington, D.C., showcasing many of our federal agencies and branches of the military, as well as highlighting the services these agencies provide.

In addition to the Mall exhibits, I encourage my colleagues to recognize federal employees, as well as state and local government employees within their states, to let them know how much their work is appreciated. Our resolution details the tremendous contributions that our public servants make to their country and communities.

I am very proud of the men and women who serve our country, both in and out of uniform. I urge my fellow members to use next week to thank our federal employees for their enthusiasm and selfless dedication to public service.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, that any statements relating thereto be printed in the RECORD, all without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 261) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 261

Whereas Public Service Recognition Week provides an opportunity to honor and celebrate the commitment of individuals who meet the needs of the Nation through work at all levels of government;

Whereas over 20,000,000 men and women work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas the United States of America is a great and prosperous Nation, and public service employees have contributed significantly to that greatness and prosperity;

Whereas Americans benefit daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) help the Nation recover from natural disasters and terrorist attacks;

(2) fight crime and fire;

(3) deliver the mail;

(4) teach and work in the schools;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and national parks;

(8) improve transportation and the quality of water and food;

(9) build and maintain roads and bridges;

(10) provide vital strategic and support functions to our military;

(11) keep the Nation's economy stable;

(12) defend our freedom; and

(13) advance United States interests around the world;

Whereas public servants at the Federal, State, and local level are the first line of defense in maintaining homeland security;

Whereas for every essential service disrupted by the terrorist attacks on September 11, 2001, public servants responded quickly and effectively, many giving their lives for their country;

Whereas public servants demonstrated once again on September 11, 2001, that civil servants at every level of government are decent, hard-working men and women, committed to doing a good job regardless of the circumstances;

Whereas America's Federal employees have risen to the occasion and demonstrated professionalism, dedication, and courage during the attacks of September 11, 2001, and in their aftermath;

Whereas after September 11, 2001, thousands of Federal employees were deployed in disaster response teams, and government employees continue to contribute in the war on terrorism as a part of their normal duties;

Whereas each agency has a role in ensuring that the Nation is secure and prosperous despite renewed attention to those agencies which are directly fighting the war on terrorism; and

Whereas May 6 through 12, 2002, has been designated Public Service Recognition Week

to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week will be celebrated through job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

(1) commends government employees for their outstanding contributions to this great Nation;

(2) salutes their unyielding dedication and spirit for public service;

(3) honors those public servants who have given their lives in service to their country;

(4) calls upon a new generation of workers to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

COMMENDING THE UNIVERSITY OF HAWAII WARRIOR MEN'S VOLLEYBALL TEAM FOR WINNING THE 2002 NCAA NATIONAL CHAMPIONSHIP

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 262, submitted earlier by Senators AKAKA and INOUYE.

The PRESIDING OFFICER. The clerk will state the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 262) commending the University of Hawaii Volleyball Team for winning the 2002 National Collegiate Athletic Association Men's Volleyball National Championship.

There being no objection, the Senate proceeded to the consideration of the resolution.

Mr. AKAKA. Madam President, I am pleased to join my distinguished colleague, the senior Senator from Hawaii, Mr. INOUYE, in congratulating the University of Hawaii's Warrior Volleyball team, the 2002 NCAA National Champions. The Warriors captured the title by beating top-ranked Pepperdine University in four games Saturday evening in State College, Pennsylvania. The national championship is the first for any men's athletic program at the University of Hawaii in over 30 years of NCAA Division I competition.

Hawaii finished its championship season with a 24–8 record, and out-hit and out-blocked a Pepperdine team that had beaten the Warriors in their three previous meetings this season. Saturday's victory also marked the 200th win for Warrior coach Mike Wilton in his ten-year tenure at Hawaii.

Sports fans in Hawaii love the men's and women's volleyball teams at the University of Hawaii. Hawaii has led the nation in attendance for seven consecutive seasons. This season the Warriors drew 89,387 fans for 16 home matches, an average of 5,587 per match, breaking the record set last year. It is not unusual for almost 8,000 fans to pack the Stan Sheriff Center on the UH-Manoa campus for a contest against a conference rival. When you factor in the fact that all home matches are televised, you get an appreciation of the popularity of Hawaii's volleyball program.

The 2002 Volleyball National Champions are an extraordinary team. They are also an international team. Three-time All-American and Final Four MVP Costas Theocharidis is from Greece; Team captain Eyal Zimet is from Israel; senior All-American Dejan Miladinovic is from Serbia. Along with Hawaii's best prep players, men from Canada, the mainland U.S., Puerto Rico, Cuba, and Guam, are a part of the 2002 Hawaii Warrior's championship team this season. It is a credit to the players, coaches, trainers and staff, that outstanding teamwork, years of hard work and conditioning, and dedication to the sport they love, have earned them the national championship.

The multinational 2002 champions are splendid representatives and ambassadors for Hawaii. Hawaii is a multicultural State, where no race or ethnicity has a majority. Our Culture reflects the rich mosaic of Native Hawaiian, Asian, and Western cultures and traditions which are shared, celebrated, and appreciated by Hawaii's people and visitors to the islands. Immigrants from nations around the world have shared their rich cultures and traditions, which in combination with the indigenous Hawaiian culture, have created a special and wonderful place for residents and visitors alike.

So it is with great pride and appreciation that I join my colleague from Hawaii and the people of Hawaii in honoring the 2002 National Champion University of Hawaii Warrior Volleyball team by offering a resolution commending their championship season. I ask unanimous consent that a roster of Warrior Volleyball players, coaches, and staff be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See Exhibit 1.)

Mr. AKAKA. Congratulations to the Warriors players and Coach Mike Wilton and his staff for a wonderful and historic season. Hawaii no ka oi!

EXHIBIT NO. 1

2002 HAWAII WARRIORS VOLLEYBALL ROSTER

No. and player	Pos.	Ht.	Yr.	Hometown
1. Dejan Miladinovic	MB	6–7	Sr.	Kraljevo, Serbia
2. Geronimo Chala	OH	6–6	Jr.	Santiago de Cuba, Cuba
3. Rob Drew	MB	6–8	Sr.	San Diego, CA
4. Kimo Yuyay	S	6–2	So.	San Diego, CA
5. Jake Muise	L	6–0	So.	Halifax, Nova Scotia
6. Eyal Zimet	OH	6–2	Jr.	Kibbutz Ein Hamifratz, Israel
7. Vernon Podiewski	L	5–8	Sr.	Halimaile, Maui
8. Jeffrey Gleason	OH	6–3	Jr.	Hillsboro, OR
9. Costas Theocharidis	OH	6–3	Jr.	Orestiada, Greece
10. Jose Delgado	OH	6–3	Fr.	San Juan, Puerto Rico
11. Kyle Denitz	DS	6–0	Jr.	Carpineria, CA
12. Marvin Yamada	DS	5–8	So.	Barrigada Heights, Guam
13. Matt Bender	OH	6–3	Fr.	Tucson, AZ
14. Ryan Woodward	OH	6–3	Jr.	Mililani, Oahu
15. Tony Ching	OH	6–2	Jr.	Honolulu
16. Brian Nordberg	MB	6–5	Jr.	Milwaukee, WI
17. Delano Thomas	MB	6–7	Fr.	Sacramento, CA
18. Daniel Rasay	S	6–2	Fr.	Kailua-Kona, Hawaii

Head Coach: Mike Wilton (BYU-Hawaii, 1969); Assistant Coaches: Tino Beyes (Cal Poly, 1984), Aaron Wilton (Hawaii, 1997); Manager: Marlo Torres; Volunteer: Radford Nakamura; and Trainer: Michelle Landis.

Mr. REID. I ask unanimous consent that the resolution and preamble be agreed to en bloc, the motion to reconsider be laid upon the table, and that any statements related thereto be printed in the RECORD, all without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 262) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 262

Whereas on May 4, 2002, the University of Hawaii Warrior Men's Volleyball Team won the national championship for the first time;

Whereas the University of Hawaii defeated Pepperdine University in 4 games in the championship match, having previously defeated Penn State University in the semifinals;

Whereas this is the first national championship ever for any men's athletic program at the University of Hawaii in 30 years of NCAA Division I competition;

Whereas the victory in the championship game gave Coach Mike Wilton his first career NCAA title and his 200th victory at the University of Hawaii;

Whereas the University of Hawaii Warrior Volleyball fans are the best in the Nation, leading the country in attendance for 7 consecutive seasons;

Whereas 3-time All-American junior outside hitter Costas Theocharidis—

(1) was named the Final Four Most Outstanding Player;

(2) was the 2001 American Volleyball Coaches Association national Player of the Year; and

(3) holds a number of men's volleyball school records;

Whereas 2 University of Hawaii Warrior volleyball players, junior outside hitter Costas Theocharidis and senior middle blocker Dejan Miladinovic, were voted to the American Volleyball Coaches Association All-American first team;

Whereas the Hawaii team is representative of Hawaii's celebrated cultural diversity, with players from Hawaii, the United States mainland, Guam, Puerto Rico, Canada, Cuba, Greece, Israel, and Serbia; and

Whereas all of the team's players showed tremendous dedication throughout the season toward the goal of winning the National Championship: Now, therefore, be it

Resolved, That the Senate—

(1) commends the University of Hawaii Warrior Men's Volleyball Team for winning the 2002 NCAA Men's Volleyball National Championship;

(2) recognizes the achievements of all the team's players, coaches, and support staff, and invites them to the United States Capitol to be honored;

(3) requests that the President—

(A) recognize the achievements of the University of Hawaii men's volleyball team; and

(B) invite the team to the White House for an appropriate ceremony honoring a national championship team; and

(4) directs the Secretary of the Senate to—

(A) make available enrolled copies of this resolution to the University of Hawaii for appropriate display; and

(B) transmit an enrolled copy of this resolution to every coach and member of the 2002 NCAA Men's Volleyball National Championship Team.

VIOLENCE AGAINST WOMEN ACT OF 2000 AMENDMENTS

Mr. REID. Madam President, I ask unanimous consent that the Senate

proceed to the consideration of Calendar No. 350, S. 410.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 410) to amend the Violence Against Women Act of 2000 by expanding legal assistance for victims of violence grant program to include assistance for victims of dating violence.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read the third time and passed, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (S. 410) was read the third time and passed, as follows:

S. 410

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LEGAL ASSISTANCE FOR VICTIMS OF VIOLENCE.

Section 1201 of the Violence Against Women Act of 2000 (42 U.S.C. 3796gg–6) is amended—

(1) in subsection (a), by inserting ''dating violence,'' after ''domestic violence,'';

(2) in subsection (b)—

(A) by inserting before paragraph (1) the following:

''(1) DATING VIOLENCE.—The term 'dating violence' means violence committed by a person—

''(A) who is or has been in a social relationship of a romantic or intimate nature with the victim; and

''(B) where the existence of such a relationship shall be determined based on a consideration of the following factors:

''(i) the length of the relationship;

''(ii) the type of relationship; and

''(iii) the frequency of interaction between the persons involved in the relationship.'';

(B) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (3), and (4) respectively; and

(C) in paragraph (3), as redesignated by subparagraph (B) of this paragraph, by inserting ''dating violence,'' after ''domestic violence,'';

(3) in subsection (c)—

(A) in paragraph (1), by inserting—

(i) '', dating violence,'' after ''domestic violence''; and

(ii) ''dating violence,'' after ''domestic violence,'';

(B) in paragraph (2), by inserting ''dating violence,'' after ''domestic violence,''; and

(C) in paragraph (3), by inserting ''dating violence,'' after ''domestic violence,'';

(4) in subsection (d)—

(A) in paragraph (1), by inserting '', dating violence,'' after ''domestic violence'';

(B) in paragraph (2), by inserting '', dating violence,'' after ''domestic violence'';

(C) in paragraph (3), by inserting '', dating violence,'' after ''domestic violence''; and

(D) in paragraph (4), by inserting ''dating violence,'' after ''domestic violence,'';

(5) in subsection (e), by inserting ''dating violence,'' after ''domestic violence,''; and

(6) in subsection (f)(2)(A), by inserting ''dating violence,'' after ''domestic violence,''.

AMENDING THE OMNIBUS CRIME CONTROL AND SAFE STREETS ACT OF 1968

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 364, S. 2431.

The PRESIDING OFFICER. The clerk will state the bill by title.

The legislative clerk read as follows:

A bill (S. 2431) to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive public safety officer death benefits.

There being no objection, the Senate proceeded to consider the bill which was reported by the Committee on the Judiciary, with an amendment, as follows:

[Omit the part in black brackets and insert the part printed in italic:]

S. 2431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002''.

SEC. 2. BENEFITS FOR CHAPLAINS.

(a) IN GENERAL.—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) is amended—

(1) by redesignating paragraphs (2) through (7) as (3) through (8), respectively;

(2) by inserting after paragraph (1) the following:

''(2) 'chaplain' [means] *includes* any individual serving as an officially recognized or designated member of a legally organized volunteer fire department or legally organized police department, or an officially recognized or designated public employee of a legally organized fire or police department who was responding to a fire, rescue, or police emergency;''; and

(3) in subparagraph (A) of paragraph (8), as redesignated by paragraph (1), by inserting after ''firefighter,'' the following: ''as a chaplain,''.

(b) ELIGIBLE BENEFICIARIES.—Section 1201(a) of such Act (42 U.S.C. 3796(a)) is amended—

(1) in paragraph (3), by striking ''or'' at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

''(4) if there is no surviving spouse or surviving child, to the individual designated by such officer as beneficiary under such officer's most recently executed life insurance policy, provided that such individual survived such officer; or''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on September 11, 2001, and shall apply to injuries or deaths that occur in the line of duty on or after such date.

Mr. LEAHY. Madam President, I am pleased that the Senate is taking up expeditiously the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002. I thank Senators CAMPBELL, SCHUMER, CLINTON, and BIDEN for cosponsoring our bipartisan measure. I also commend Representatives MANZULLO and NADLER for their leadership on the House version of this bill, H.R. 3297.

Named for Chaplain Mychal Judge, who was killed while responding with the New York City Fire Department to the September 11 terrorist attacks on the World Trade Center, this legislation recognizes the invaluable service of police and fire chaplains in crisis situations by allowing for their eligibility in the Public Safety Officers' Benefit Program. Father Judge, while deemed eligible for public safety officer benefits, was survived by his two sisters who, under current law, are ineligible to receive payments through the PSOB Program. This is simply wrong and must be remedied.

Indeed, Father Judge is among ten public safety officers who were killed on September 11, but who are ineligible for federal death benefits because they died without spouses, children, or parents. This bill would retroactively correct this injustice by expanding the list of those who may receive public safety officer benefits to the beneficiaries named on the most recently executed life insurance policy of the deceased officer. This change would go into effect on September 11 of last year to make sure the families of Father Judge and the nine other fallen heros receive their public safety officer benefits.

In addition, this bill would retroactively restructure the Public Safety Officers' Benefit Program to specifically include chaplains as members of the law enforcement and fire units they serve, and would make these chaplains eligible for the one-time $250,000 benefit available to public safety officer who have been permanently disabled as a result of injuries sustained in the line of duty, or to the survivors of officers who have died.

We have yet another unique opportunity to provide much-needed relief for the survivors of the brave public servants who selflessly risk and sacrifice their own lives everyday so that others might live or be comforted.

Finally, I applaud the National Association of Police Organization, the Fraternal Order of Police, and American Federation of State, County and Municipal Employees for their leadership and strong support for public safety officers and their families. I ask unanimous consent that their letters in support of the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act be printed in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

GRAND LODGE,
FRATERNAL ORDER OF POLICE,
Washington, DC, May 1, 2002.

Hon. PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: I am writing on behalf of the membership of the Fraternal Order of Police to advise you of our strong support for S. 2431, the ''Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002.''

None of us in the public safety community will ever forget the tremendous courage exhibited by our police, fire, and rescue personnel as they responded to the devastating

terrorist attacks of 11 September. Nor will we forget the examples of heroism and self-sacrifice exemplified by Father Judge and the other dedicated public servants who lost their lives on that day.

The legislation you have introduced affords Congress the opportunity to further honor these American heroes by making two important enhancements to the Public Safety Officers' Benefits Program (PSOB). First, S. 2431 will specifically recognize police and fire chaplains who were killed or injured in the line of duty while responding to a fire, rescue, or police emergency among those who are eligible for PSOB benefits. In addition, the bill would expand the list of those allowed to receive such benefits in the event of an officer's death to include, in the event that there is no surviving spouse or child, the individual designated by the officer as a beneficiary under their most recently executed life insurance policy.

On behalf of the more than 300,000 members of the Fraternal Order of Police, thank you for your leadership on this issue and for your continuing commitment to America's Federal, State and local law enforcement officers. Please do not hesitate to contact me, or Executive Director Jim Pasco, if we can provide you with any additional information or assistance.

Sincerely,

STEVE YOUNG,
National President.

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.,
Washington, DC, May 1, 2002.

Hon. PATRICK J. LEAHY,
Chairman, Senate Judiciary Committee, U.S. Senate, Russell Senate Office Building, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the National Association of Police Organizations (NAPO), representing 220,000 rank-and-file police officers from across the United States, I would like to advise you of our wholehearted support for S. 2431, the ''Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002.'' This bill will recognize the invaluable service of police and fire chaplains in crisis situations by allowing for their eligibility in the Public Safety Officers' Benefit program.

Created by congress in 1976, the PSOB program is administered by the Bureau of Justice Assistance of the U.S. Department of Justice and pays a one-time death benefit to the families of public safety officers who die in the line of duty.

S. 2431 is named after Franciscan Friar Mychal Judge who was the Chaplain of the New York City Fire Department. Father Judge was killed by the falling debris of the World Trade Center on September 11, 2001, while giving last rites to another firefighter who died in the terrorist attack.

NAPO thanks you for introducing this important piece of legislation and expeditiously bringing it before the Senate Judiciary Committee for full consideration. We commend you for your continued and strong support of law enforcement and look forward to working with you for the bill's passage.

Sincerely,

WILLIAM J. JOHNSON,
Executive Director.

AFSCME,
Washington, DC, May 2, 2002.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: On behalf of the 1.3 million members of the American Federation of State, County and Municipal Employees (AFSCME) and the corrections and law enforcement officers and emergency medical technicians that we represent, I am writing to express our support for the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002 (S. 2431).

Father Mychal Judge was a courageous and humane chaplain and public servant who deserves the honor you bestow on him posthumously by the introduction of this legislation which expressly includes chaplains as eligible members of the law enforcement and fire units for public safety death benefits purposes. We know firsthand about his bravery because Father Judge was an AFSCME member.

Not only does this legislation resolve any ambiguities regarding coverage of chaplains, but it would also expand the list of those who may receive benefits in the event of a public safety officer's death in the line of duty. Currently, if the officer does not have a surviving wife, children or parents, no benefit would be paid as was the case with Father Judge. Your legislation would allow this monetary benefit to be paid to the individual designated by such officer as a beneficiary under the officer's most recently executed life insurance policy and then to the parents of the officer. As you mentioned in your statement, approximately 450 public safety officers killed in the September 11th attacks died without spouses, children or parents so the $250,000 death benefit will not be paid. Your legislation would correct this inequity.

AFSCME wholeheartedly endorses the Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefits Act of 2002. Thank you for recognizing the need for this legislative change in the benefits program.

Sincerely,

CHARLES M. LOVELESS,
Director of Legislation.

Mr. REID. Madam President, I ask unanimous consent that the committee amendment be agreed to, the bill, as amended, be read the third time and passed, the motion to reconsider be laid upon the table, that any statements relating thereto be printed in the RECORD, all without any intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The bill (S. 2431), as amended, was read the third time and passed, as follows:

S. 2431

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Mychal Judge Police and Fire Chaplains Public Safety Officers' Benefit Act of 2002''.

SEC. 2. BENEFITS FOR CHAPLAINS.

(a) IN GENERAL.—Section 1204 of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b) is amended—

(1) by redesignating paragraphs (2) through (7) as (3) through (8), respectively;

(2) by inserting after paragraph (1) the following:

''(2) 'chaplain' includes any individual serving as an officially recognized or designated member of a legally organized volunteer fire department or legally organized police department, or an officially recognized or designated public employee of a legally organized fire or police department who was responding to a fire, rescue, or police emergency;''; and

(3) in subparagraph (A) of paragraph (8), as redesignated by paragraph (1), by inserting after ''firefighter,'' the following: ''as a chaplain,''.

(b) ELIGIBLE BENEFICIARIES.—Section 1201(a) of such Act (42 U.S.C. 3796(a)) is amended—

(1) in paragraph (3), by striking ''or'' at the end;

(2) by redesignating paragraph (4) as paragraph (5); and

(3) by inserting after paragraph (3) the following new paragraph:

''(4) if there is no surviving spouse or surviving child, to the individual designated by such officer as beneficiary under such officer's most recently executed life insurance policy, provided that such individual survived such officer; or''.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on September 11, 2001, and shall apply to injuries or deaths that occur in the line of duty on or after such date.

CRIMINAL JUSTICE COORDINATING COUNCIL RESTRUCTURING ACT OF 2001

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 362, H.R. 2305.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2305) to authorize certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, and any statements relating to the bill be printed in the RECORD, without intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2305) was read the third time and passed.

REPORT ON OPERATIONS OF THE STATE JUSTICE INSTITUTE

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 290, H.R. 2048.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2048) to require a report on the operations of the State Justice Institute.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Madam President, I ask unanimous consent that the bill be read a third time, passed, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 2048) was read the third time and passed.

NATIONAL TOURISM WEEK

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Con. Res. 108, which is at the desk.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Con. Res. 108) to designate May 4–12, 2002, as ''National Tourism Week.''

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution and preamble be agreed to, the motion to reconsider be laid upon the table, and that any statement relating to the resolution be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 108) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 108

Whereas travel and tourism has a major impact on the economy of the United States as the third largest retail sales industry in the Nation;

Whereas 1 out of every 7 people employed in the United States civilian labor force is employed in the travel and tourism industry;

Whereas international travel to the United States is the largest service export, having generated a trade surplus for 13 consecutive years;

Whereas domestic and international travel generated an estimated $545,000,000,000 in expenditures in 2001, supporting more than 7,800,000 jobs, and creating more than $94,400,000,000 in tax revenue for Federal, State, and local governments;

Whereas the slowing of the United States economy and the horrific terrorist attacks of September 11, 2001, have had a tremendous negative effect on the tourism industry;

Whereas according to the Travel Industry Association, the travel and tourism industry would suffer a $43,000,000,000 decrease in spending from domestic and international travelers due to the September 11, 2001, attacks;

Whereas the Department of Commerce has issued preliminary figures indicating that international travel to the United States decreased 11 percent between 2000 and 2001, resulting in a 45 percent decrease in the travel trade surplus (from $14,000,000,000 to $7,700,000,000), and that it may take 3 years for international travel to return to the 2000 level;

Whereas decreased spending in 2001 caused the travel and tourism industry to lose an estimated 600,000 jobs, and resulted in an estimated 3 percent decrease in tax revenues from such industry;

Whereas National Tourism Week was established by Congress in 1983, and first celebrated in May 1984, when President Ronald Reagan signed a Presidential Proclamation urging citizens to observe the week ''with appropriate ceremonies and activities;

Whereas since 1984, National Tourism Week has been celebrated each May by the Travel Industry Association of America, as well as many States, cities, and other travel industry associations: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) designates May 4–12, 2002, as ''National Tourism Week; and

(2) requests that the President issue a proclamation calling upon the people of the United States to observe National Tourism Week with appropriate ceremonies and activities.

ORDERS FOR WEDNESDAY, MAY 8, 2002

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, May 8; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate resume consideration of the farm conference report under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, the Senate will tomorrow morning resume work on the farm conference report. There will be 6 hours of debate. Following disposition of the conference report, wherein that will include a vote sometime tomorrow, the Senate will resume consideration of the trade bill. It should be sometime tomorrow evening when we complete this. The leader has a lot of other work we need to do this week. There is not much time, I suggest, before the Memorial Day recess. There are many items the President wants and the committee chairmen want. A number of bills have been referred from the House. We have a lot of work to do. People should be ready to do a lot of work starting tomorrow night.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 5:36 p.m., adjourned until Wednesday, May 8, 2002, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 7, 2002:

DEPARTMENT OF JUSTICE

STEVEN M. BISKUPIC, OF WISCONSIN, TO BE UNITED STATES ATTORNEY FOR THE EASTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS.

JAMES E. MCMAHON, OF SOUTH DAKOTA, TO BE UNITED STATES ATTORNEY FOR THE DISTRICT OF SOUTH DAKOTA FOR THE TERM OF FOUR YEARS.

JAN PAUL MILLER, OF ILLINOIS, TO BE UNITED STATES ATTORNEY FOR THE CENTRAL DISTRICT OF ILLINOIS FOR THE TERM OF FOUR YEARS.

WALTER ROBERT BRADLEY, OF KANSAS, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF KANSAS FOR THE TERM OF FOUR YEARS.

RANDY PAUL ELY, OF TEXAS, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF TEXAS FOR THE TERM OF FOUR YEARS.

WILLIAM P. KRUZIKI, OF WISCONSIN, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF WISCONSIN FOR THE TERM OF FOUR YEARS.

STEPHEN ROBERT MONIER, OF NEW HAMPSHIRE, TO BE UNITED STATES MARSHAL FOR THE DISTRICT OF NEW HAMPSHIRE FOR THE TERM OF FOUR YEARS.

GARY EDWARD SHOVLIN, OF PENNSYLVANIA, TO BE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF PENNSYLVANIA FOR THE TERM OF FOUR YEARS.

EXTENSIONS OF REMARKS

COMMENDING THE WE THE PEOPLE . . . THE CITIZEN AND THE CONSTITUTION

HON. JIM GIBBONS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. GIBBONS. Mr. Speaker, on May 4–6, 2002 more than 1200 students from across the United States visited Washington, D.C. to compete in the national finals of the We the People. . . The Citizen and the Constitution program, the most extensive educational program in the country developed specifically to educate young people about the Constitution and the Bill of Rights.

I am proud to announce that the class from Incline High School from Incline Village represented the State of Nevada in this national event. These young scholars worked diligently to reach the national finals and through their experience gained a deep knowledge and understanding of the fundamental principles and values of our constitutional democracy.

The three-day national competition is modeled after hearings in the United States Congress. The hearings consist of oral presentations by high school students before a panel of adult judges on constitutional topics. The students' testimony is followed by a period of questioning by the judges who probe their depth of understanding and ability to apply their constitutional knowledge.

Administered by the Center for Civic Education, the We the People. . . program has provided curricular materials at upper elementary, middle, and high school levels for more than 26.5 million students nationwide. The program provides students with a working knowledge of our Constitution, Bill of Rights, and the principles of democratic government. Members of Congress and their staff enhance the program by discussing current constitutional issues with students and teachers and by participating in other educational activities.

It is inspiring to see these young people advocate the fundamental ideals of our government in the aftermath of September 11th. These ideas identify us as a people and bind us together as a nation. It is important for our next generation to understand these values and principles which we hold as standards in our endeavor to preserve and realize the promise of our constitutional democracy.

Independent studies by the Educational Testing Service (ETS) showed that students enrolled in the We the People. . . program at upper elementary, middle, and high school levels ''significantly outperformed comparison students on every topic of the tests taken.'' Further, in a voting and civic participation survey of program alumni, 82% reported voting in the November 2000 election. In contrast, the National Election Studies reported a 48% turnout in the November 2000 election among Americans aged 18–30. This provides ample evidence that when students gain valuable knowledge about fundamental American values, they are more likely to participate in political life.

The class from Incline High School diligently conducted research and prepared for their participation in the national competition. I commend these young ''constitutional experts'' on their work for and commitment to the We the People. . . national finals. They represent the future leaders of our nation.

D.A.R.E. GRADUATION, BERLIN TOWNSHIP SCHOOL DISTRICT

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. ANDREWS. Mr. Speaker, I would like to congratulate the students and staff of the Berlin Township School District on the occasion of their D.A.R.E. graduation, which took place on March 25th, 2002. I was honored to speak at the graduation ceremony, and I would like the names of all the D.A.R.E. graduates, officers and teachers recognized in the CONGRESSIONAL RECORD.

Instructional Staff.—Cathy Conicella, Kathy Arent, Judi Knopke, Denise Conn, Karen Okulanis, Sherie Troendle, Monica King, and Fabian Brown.

D.A.R.E. Officers.—Sgt. William Hill, Officer Rob Murray, and Officer Gary Sheehan.

Supervisor of D.A.R.E.—Robert E. Jackson, Jr.

Support Staff.—Oretta Thomas, Charlotte Cohen, Joan Mondile, and Mary Suards.

FIFTH GRADE STUDENTS

D.A.R.E. Period 1.—Christopher Brooks, Melanie Dotts, Aarina Eleazer, Kelsey Greager, Kyle Greis, Joseph Hartshorne, Maria Lioliakis, Patrick McElroy, Ryan McElroy, Kelsey Odegaard, Stefani Pelly, Patrick Perez, Brittany Stalder, Lauren Strain, and Rebecca Swift.

D.A.R.E. Period 3.—Mejbah Ahmed, Anthony Cassario, Nathaniel Culbreath, Richard Fisher, Brianna Garrison, Scott Howard, Alexander Jannini, Ciarra Jones, Charles Lowe, Shawn Lowe, Maria Luciana, Matthew McDermott, Christina Peidl, Kaitlin Richards, Kelly Rodrigues, Tiffany Rodriguez, Alexander Rubolin, Jenney Sabin, Tenia Stansbury, and Tonya Toomer.

D.A.R.E. Period 5.—Matthew Bodanza, John Brecker, Amir Furlow, Brittney Hallowell, Kyle Laganella, Kimberly McKelvcy, Marissa Pigliacelli, Margaret Reilly, John Ryan, Christian Smith, Sabrina Smith, Steven Smith, Tomasa Sotelo, Leisl Steinbach, Shanee Thornton, Ashley Tortu, Scott Tretina, Miranda Ulmer, Brandan Wall, and Michael Williams.

D.A.R.E. Period 6.—Kerrin Anderson, Christie Asquith, Henry Birkenheuer, Natalie Bossard, Donald Bowman, Chelsea Callahan, Vincent Carbonaro, Charles Dewland, Diana Gastelum, Christopher Hollimon, Nicole Jewell, Jiamas Johnson, Amanda Kearns, Nicholas Labbree, Daniel Messick, Miranda Petersen, Daniel McCready, Michele Pruto, Amber Punihaole, Monica Roohr, Logan Ryan, Kamal Uddin, and Bianca Vera.

PERSONAL EXPLANATION

HON. ILEANA ROS-LEHTINEN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Ms. ROS-LEHTINEN. Mr. Speaker, on rollcall No. 126, due to an illness in the family I had to be in my district. If present, I would have voted ''aye'' on rollcall No. 126.

STUDENT LOAN RATE

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Ms. SANCHEZ. Mr. Speaker, today I rise to speak out against the Administration's proposal to change the federal student loan consolidation rates.

Last week it was reported that college loan rates could tumble to roughly 4 percent after July 1. A student with $20,000 in debt would be able to save $5,000 on a 20 year repayment plan with a fixed rate of 4.13 percent.

Just as millions of Americans are preparing for large savings on their student loans, the Administration decides to pull the rug out from under their feet by coming out with a proposal that prevents them from locking in low interest rates.

It seems as though this Administration wants to prevent students from moving ahead, after falsely leading them to believe that they would not be left behind.

Due to the efforts of Democrats in both bodies of Congress, the Administration was forced to withdraw their proposal. I am pleased that we were able to prevent this potentially devastating proposal. However, I am still angry that the Administration would try to finance their initiatives at the cost of students struggling to get ahead.

I encourage my colleagues to oppose any future measures that would make it more difficult for America's students to afford a college education.

TRIBUTE TO NANCY BAILEY, WARDEN, FCI FORT DIX, NEW JERSEY

HON. JIM SAXTON

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. SAXTON. Mr. Speaker, I rise today to pay tribute to Nancy Bailey, who retires on Saturday, June 1, 2002, after 27 years of distinguished service in our nation's correctional system.

Her rise through the ranks from her beginnings as a Correctional Officer in 1974 through various administrative positions within

the Bureau of Prisons to her role as Warden of both Federal Correctional Institutions Safford, Arizona, and Fort Dix, New Jersey, is indicative of her commitment to the correctional system and the management of those in her care.

A Public Information Officer, Bureau of Prisons Auditor, Public Speaking Instructor and member of the Business and Professional Women's Club, Warden Bailey's involvement in the community plays an important role in her life. In her free time, she enjoys antiquing, gardening, reading and volunteering in the community.

Nancy and her husband, Jacob, plan to relocate to Glocester, Rhode Island, where she will teach Criminal Justice at a local college, sharing her decades of experience in the field with those just beginning a lifetime of service in the field of law and justice.

I congratulate her on her many years of commitment to public safety, and wish her a retirement filled with health, happiness and dreams come true.

HONORING COMMISSIONER DARRYL D. PERRYMAN FROM CAMDEN, ALABAMA

HON. BOB RILEY

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. RILEY. Mr. Speaker, I rise today to join The National Organization of Black County Officials, Inc (NOBCO) in honoring an outstanding leader in Alabama's Third Congressional District. On April 26th, Commissioner Darryl D. Perryman from Camden, AL, received the award for Outstanding County Official 2002 by NOBCO.

NOBCO Chairman Webster Guillory presented the award to Perryman during its Eighteenth Annual Economic Development Conference held in Biloxi, MS. When asked about his reward, Mr. Perryman humbly replied that he was in the business of helping people and doing the duties of an elected official.

I feel that it is necessary to recognize the success of our public officials in order to encourage future leaders of Alabama and the United States; therefore, I stand up before the United States Congress and America today to congratulate Mr. Perryman on his success as a public servant of Alabama and to thank him for all he has done for the great state of Alabama and its Third Congressional District.

MEDICATION ERROR PREVENTION ACT OF 2002

HON. CONSTANCE A. MORELLA

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mrs. MORELLA. Mr. Speaker, in late 1999, the Institute of Medicine (IOM) issued a major report on medical mistakes entitled ''To Err Is Human: Building a Safer Health Care System.'' This eye-opening study found that errors by health care professionals may result in the deaths of between 44,000 and 98,000 people in the United States every year, and injure countless others. Shockingly, more people die from avoidable medical errors each year than from highway accidents, breast cancer, or AIDS.

Congress reacted swiftly to the IOM report. Some members of the House and Senate, including myself, introduced bills to implement the report's recommendations, and hearings on medical errors were held in various committees. But Congress sometimes has a short attention span. Despite the flurry of activity at the beginning of 2000, by the close of the session other health care debates had crowded out the medical error issue and no further action was taken on medical errors.

We cannot let another year go by without doing something about medical errors; therefore, I am reintroducing a medical errors bill and this time I plan to see it through to enactment. If the IOM estimate of the fatalities that result from medical errors is remotely close to accurate, Congress cannot wait another year to act.

According to the IOM, most medical errors do not result from individual recklessness, but from basic flaws in the way hospitals and other health care systems are organized. For example, deadly mistakes have resulted from stocking the patient-care units in hospitals with certain full-strength drugs that are toxic unless diluted. Confusion over similarly-named drugs is another major cause of medical mistakes: studies have shown, for instance, that confusion over the similarly-named drugs ''Cefuroxime'' and ''Cefotaxime'' accounted for numerous errors in the administration of these drugs.

Other errors result from the increased complexity and specialization of health care treatment. When a patient is treated by different doctors for different ailments, a particular practitioner may not have complete information about all treatments the patient is receiving, and may prescribe medication that is incompatible with other medications the patient is taking.

In recommending ways to reduce errors, the IOM focused on the need to encourage efficient and comprehensive reporting systems so that health care professionals can benefit from the experiences and ''best practices'' of their colleagues. Other sectors of the American economy have established coordinated safety programs that collect and analyze accident trends—such programs are commonplace, for example, in the transportation field. Yet there are few centralized systems for gathering and disseminating information on medical errors. For this reason, in my legislation, I specifically advocate for the use of MedMARx—a national, Internet-accessible reporting system designed to reduce medication errors in hospitals. This system allows hospitals to anonymously and voluntarily report, track, and monitor their medication errors, to identify trends, and to pinpoint problem areas. In order for systems like MedMARx to become successful though, participating hospitals and health care professionals must know that they can report problems encountered in clinical practice without endangering their careers. But according to the IOM, a major obstacle to the full implementation of medical error reporting programs is the threat that the reports themselves will be disclosed in civil litigation.

Naturally, hospitals are reluctant to generate documents that will be used against them in adversarial proceedings, so IOM called for enactment of an evidentiary privilege in federal law against the disclosure of information provided to medical error reporting systems. In the legislation, I would protect the confidentiality of data on medical mistakes where the information is collected and analyzed solely for the purpose of improving safety and quality. Without this protection, hospitals and health care professionals fear that information reported might ultimately be subpoenaed and used in lawsuits against them, thereby discouraging their participation.

The time to act is now. Patients are literally killed by medical errors every day, yet Congress has not done anything to ensure that the IOM recommendations that could significantly reduce these tragic mistakes are signed into law. Working together, we can reduce medical errors and improve the quality of patient care in the United States.

HONORING WORK DONE BY PARTICIPANTS IN STUDENT CONGRESSIONAL TOWN MEETING AT UNIVERSITY OF VERMONT

HON. BERNARD SANDERS

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. SANDERS. Mr. Speaker, today, I recognize the outstanding work done by participants in my Student Congressional Town Meeting held this spring at the University of Vermont. These participants were part of a group of high school students from around Vermont who testified about the concerns they have as teenagers, and about what they would like to see government do regarding these concerns.

UNDERAGE DRINKING

APRIL 8, 2002

MATT ALDEN. Good morning. Thank you, Congressman Sanders, for this opportunity. As I stand before you today, first I'd like to share a few facts about underage drinking.

According to the 2001 Vermont Youth Risk Behavior Survey, 69 percent of Vermont students have consumed alcohol. 58 percent of Vermont seniors have had at least one alcoholic beverage in the past month. More importantly, one-third of our Vermont eighth-graders have consumed alcohol in the past 30 days. One out of four Vermont seniors binge-drink monthly, meaning they have consumed more than five drinks within a two-hour timeframe. 32 percent of Vermont seniors ride with a driver who has been drinking. 50 percent of young adult crashes in Vermont were alcohol-related, and half of those who died had been drinking. According to the 1999 Vermont Youth Risk Behavior Survey, half the Vermont seniors are sexually active. This may not seem relevant, but one-third had consumed alcohol before engaging in such activities. Underaged drinking costs society $216 per man, woman and child in America, so therefore, we are not only losing human lives, we are also incurring more and more debt because of this problem. And lastly, according to the Mother's Against Drunk Driving national survey, approximately 100,000 American deaths were alcohol-related. This is two times more than the population of Vermont.

As you can see, Vermont really has a problem with underaged drinking. Today I propose three solutions that will help Vermont's problem. My first two solutions come from the Vermont Youth Summit to Prevent Underaged Drinking. This was the first statewide summit held in America. Myself

and 51 other students from around the state gathered in March 2000 to create three recommendations to present to the Vermont legislature.

The two I am promoting today are, require every state ID to have a bar code or strip that can be swiped at the checkout. The bar codes will code your birthday and, when swiped through the machine, will tell the cashier if the buyer was eligible to purchase the alcohol.

The second recommendation is to have more funding for the Stop Teen Alcohol Risk Team. This is a team of local law enforcement which is hired just for breaking up large teenage parties where drinking taking place. Now, our state does not give the START team a lot of money, and no extra incentives are offered for working into the long night hours. If the START program had more money, the goal of having a team in each county would be met, thus making parties not such a common place for teens to engage in illegal consumption of alcohol.

The last and personal recommendation to help Vermont is that, if someone underage is drinking with a blood alcohol content above the legal limit, their license will be revoked until they turn 21. The legal blood-alcohol content level for a minor is .02, about one beer for an average-weight teen. I feel that, if a minor knows he or she will not be allowed to drive for a long period of time, they will think before getting into a car while intoxicated.

Now the punishment is revocation of your license for 90 days, a fine, and alcohol-treatment classes. These are good consequences, but people that are behind the wheel, drunk, endanger everyone they pass on the highway. If a license was taken away for a long period of time, they would realize the importance of staying sober behind the wheel.

I know these solutions will not bring underage drinking to a cease, but I believe, if it saves one person, it makes a difference.

Thank you, again, Mr. Sanders, for your time and this opportunity.

PEN PALS WITH PAKISTAN

APRIL 8, 2002

BETHANY WALLACE: I'm Bethany Wallace, and what we're talking about today is the pen pal program with Pakistan that our school has, in conjunction with Sara Siad from Bennington College, has established, and I guess what our hopes are is that, eventually, a program like this will be established, perhaps, statewide, and eventually nationwide.

The pen-pal program, we have sent two letters already and gotten one in return. Sara Siad is a student at Bennington College, and she is from Pakistan. I think she lives in Karachi, which is the most modern city in Pakistan, and it's kind like the metropolitan New York of Pakistan. And she has worked in a lot of public schools there and seen an interest that Pakistani students and young people have in American culture, much like we have in Pakistani culture.

What she did was to establish the pen-pal program, and we all wrote letters, and then she translated them and brought them to Pakistan when she went back on Christmas vacation. The students over there then wrote their letters, and she brought them back to us, and that is how it has been kind of working.

What it has done is opened a lot of doors to better understand the Pakistani culture, especially when our image of that culture has been so skewed by the media in light of September 11th.

KERRY McINTOSH: It is just interesting, in the letters, we see their perspective on things, but we also see how we are more similar to the people in Pakistan than we would have assumed. Like lots of us, there are just lots of different assumptions we have about people in Pakistan and what their views would be or something, and then they write in the letters, and it seems like, wow, they're really a lot like us.

I have two letters here. One of them is in Urdu, which is the native language of Pakistan. But, as Sara has told us, they also speak English fluently. And another wrote me a letter in English. I will read an excerpt. Like, when she talks about September 11th, she says. Like, first, just says, hello and, like, greets me and tells me a little bit about herself.

And now let's talk a little about the 11th of September. First of all, I want to commiserate you. It was really a shocking news. I know how hurt it must be for the people to bear the loss of their dear and near ones. It was a real horrible act of terrorism. While talking about terrorism, I do agree with the U.S. approach. But had Afghanistan handed over the culprit, it would have been much better.

You know, our President, Musharraf, was really in a bad position. It was really tough for him, whether or not to help the U.S., because some of the people in Pakistan were against the U.S. But the majority of the Pakistani population supported Mr. Musharraf's decision. But, you know, war isn't an alternative for peace. I really wish the world was a better place to live in.

I think I mentioned something political in the letter that I had written to her first, assuming that—like, not in a bad way, but just assuming that she would be a little more critical of the U.S., but then I found out that she really, like, was supportive, and that it is just like, a minority in Pakistan that is eminently anti-American people like we see protesting on the streets, and that they share our concerns and hopes for world peace.

ERICA HOLLNER. Like Kerry was saying, the main thing I think we are getting out of this is a better understanding of Pakistan, because we have these views that are so stereotypical, and we see—on TV and magazines, we see these poor people and see the refugee camps, and we think that the whole country is like that. But, in realty, a lot of the families that we are exchanging letters with are similar to us, and they're not poor, they have enough money to live comfortably, and it's a lot like the U.S. in a lot of ways, but we always think that it's all the same.

And Just that, they like the same kinds of things as we do. And I remember reading one letter that a girl was very interested in Princess Di, and you don't think of the fact that they think of the same things as we do, and they know about a lot of the same things too.

KATIE KERVORKIAN. We think that the program would be a great way to teach tolerance, just so that other people can understand what goes on, because many people don't know what is going on in the subcontinental countries, the Middle East. And to learn from someone that is our own age is different than learning from magazine or TV.

BETHANY WALLACE. And what Sarah has pointed out is that nothing is realty off limits in the letters. If we bring it up first, then our pen pals aren't, you know, squeamish about talking about it, about communicating their views, and it is a great tool to better understand what is going on over there.

HONORING MR. JOHN NORTH OF NASHVILLE, TENNESSEE ON THE OCCASION OF HIS 90TH BIRTHDAY

HON. BOB CLEMENT

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. CLEMENT. Mr. Speaker, I rise today to honor Mr. John Gallaher North of Nashville, Tennessee, on the occasion of his 90th birthday. The North family has contributed tremendously to the Nashville area through acts of kindness and leadership for many years.

Mr. North was born June 2, 1912, on Grandfather Lucas North's farm, one mile south of Ethridge, Tennessee, the son of John Ira North and Lula Mae Flippo North. He has survived all of his six brothers and sisters—Vester Pearl, Estella North Hendrix, Edith North Brown, Howard North, Kathleen North Sutton, and Irene North Harris.

A man of great integrity, North worked on the family farm in Southern Tennessee until the age of 30. At that time, he left the farm to work for Greyhound, where he spent some 32 years, retiring in 1975.

Over the past 30 years he has regularly volunteered at Madison Church of Christ in various capacities, including driving the church bus for the elderly, and conducting church services for the shut-in, sick, and hospitals. He currently continues this volunteer work in the food room of Madison Church of Christ.

North was married for 66 years, 2 months, to Ruby Butler North, who passed away on July 15, 1999. The couple had two sons, William, who died in 1995 and Don, who died in 1991. His grandson Johnny North lives in Lebanon, Tennessee.

Mr. North is to be commended for his vibrant love of life and devotion to faith and family. May he enjoy a memorable and happy birthday on June 2, 2002.

NATIONAL CORRECTIONAL OFFICERS AND EMPLOYEES WEEK

HON. DAVID E. BONIOR

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. BONIOR. Mr. Speaker, I rise today, during National Correctional Officers and Employees Week, to honor our correctional officers for the work they do to keep our families safe. We do not thank these men and women enough for their service to our communities.

Day after day, week after week, our correctional officers work one of the most dangerous patrols in the country. They devote themselves to keeping violent felons behind bars, ensuring that our families can feel safe in our homes and on our streets. We know from the number of correctional officers who die in the line of duty each year that this is a dangerous profession that requires courage, hard work, and professionalism.

Our correctional officers are people like Bonnie Johnson, a mother of six, who works over 50 hours a week in a prison in Jackson, Michigan. For almost 20 years, Bonnie has put her heart and soul into her job. Or Rodney Olsson—a correctional officer with the Michigan prison system for roughly 14 years. Rodney drives over 60 miles to get to and from

work. These fine men and women work holidays, weekends, and double shifts. They deserve our support.

We need to do our part in the weeks and months ahead to pass legislation that will protect the safety and working conditions of correctional officers. We should act to prevent further privatization of our prisons, which puts both our officers and inmate populations at risk. We need to ensure that our correctional officers receive meaningful, reliable pensions, good benefits, and decent wages. And we should invest adequate resources in prison programs that provide constructive activities for inmates that reduce recidivism and prevent violence.

The work of our correctional officers gets more and more difficult with each passing day. In my home state of Michigan, the prison population has grown 38 times faster than our general population. And records show our inmate population is getting more violent. I commend Michigan's correctional officers for staying committed to the job despite these additional challenges.

I urge my colleagues to support the resolution offered by Representatives STRICKLAND, SWEENEY, HORN, and HOLDEN that officially recognizes National Correctional Officers and Employees Week. This resolution also requests that our President issue a proclamation urging citizens to honor our correctional officers and the work they do to protect us. We should pass this resolution without delay and give our correctional officers the respect they deserve for their service.

EXPRESSING SOLIDARITY WITH ISRAEL IN ITS FIGHT AGAINST TERRORISM

SPEECH OF

HON. JESSE L. JACKSON, JR.

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 2002

Mr. JACKSON of Illinois. Mr. Speaker, Dr. Martin Luther King, Jr. once said, ''quiet is the absence of noise, but peace requires the presence of justice.''

As Americans, that is our charge and our challenge in the Middle East. We seek not only to establish quiet from bombs and bullets, but also to achieve a just, lasting and comprehensive peace. Even at this dark hour of death and destruction, peace is still possible in the Middle East.

Although involving Arabs and Jews, the crisis in the region is not an ethnic problem. While it invokes Judaism and Islam, it is not a religious problem. Though engulfing an ancient land, it is not an archaic problem. At its root, the crisis between the Israelis and the Palestinians is a political problem requiring a political solution, not a military one. It is intractable, but not impossible. And, it demands American engagement and American leadership to solve.

Our proper and necessary role in the region must be that of an honest and balanced broker, a mediator between the two sides, and a facilitator of peace. A broker understands and honors the needs, fears and aspirations of each and must maintain the trust and confidence of both. A mediator talks and listens to both sides, steps in the gaps of distrust and enmity, and reconciles differences and disputes. A facilitator recognizes and holds both sides accountable for the obligations and compromises each side must make for progress and peace.

Undoubtedly, just as it takes more than one party to make war, it takes more than one party to make peace. While we have no closer friend and ally than Israel, it is not our only friend and ally. Our interests are broad and should not be restricted to just one country in the entire region.

To do so, would compromise our own long-term national interests, diminish our standing and influence in the world, and abdicate our role and responsibility as the sole Superpower. Such a move would be tragic for us and for them, leaving both sides with no final arbiter, no place to turn other than violence.

It's time to break that vicious cycle. It's time to end the bloodshed and the heartbreak. It's time to do everything in our power to encourage both sides to make the hard choices and to take the daring steps toward peace.

Yet, instead of leadership and vision, this Congress has offered an unbalanced, untimely and counterproductive resolution. Because of what is in it and what is not, H. Res. 392 is not what is needed now. It is not constructive. It will not advance peace. I cannot support it.

This resolution rightly demonstrates support for the security of Israel. We recognize Israel's vulnerable position amidst a hostile neighborhood and unequivocally support and defend its right to exist within secure and internationally recognized boundaries.

However, this resolution wrongly omits statements of support for Palestinian self-determination and national rights. We should reaffirm our support for the right of the Palestinians to have their own state with secure and internationally recognized boundaries.

This resolution correctly condemns and opposes the use of terrorism and suicide bombings that intentionally targets and kills innocent Israeli civilians. We uphold Israel's right to combat legitimate targets and prevent such savage and brutal attacks.

Yet, this measure unfairly ignores the Israeli occupation and settlements on Palestinian territory. In a recent editorial, The New York Times stated, ''Just as terror is the greatest Palestinian threat to Middle East peace, so are settlements on territory captured in the 1967 war the greatest Israeli obstacle to peace. They deprive the Palestinians of prime land and water, break up Palestinian geographic continuity, are hard to defend against Palestinian attack and complicate the establishment of a clear, secure Israeli border.''

H. Res. 392 properly cites the mounting death toll and carnage caused by Palestinian attackers on Israelis. We mourn their deaths and share their grief. Yet, the measure makes only passing reference to Palestinian casualties and no mention at all of Israel's controversial incursion into Jenin, where the debris, devastation and death warrant an impartial investigation and an international humanitarian response.

Perhaps most unsettling is the imperfect analogy within which this resolution is framed. The measure equates America's war on terrorism with Israel's campaign in the West Bank. But, such a clear and convenient comparison is not so easy to make and, as The Washington Post observed, ''overlooks this contest for territory and sovereignty underlying the Israeli-Palestinian bloodshed.''

Surely, Israel is justified in protecting itself and uprooting terrorism. While war is disastrous and often messy, it does not justify deliberately raiding and wrecking banks, schools, streets, and municipal buildings. Yet, the Israeli offensive in the West Bank not only dismantled the terrorist infrastructure, but also systematically destroyed the civil infrastructure and institutions of Palestinian self-government. They are not one in the same. Yet, both lay in ruin. If only for their own sake and standing, Israel must adopt a policy that differentiates between the two. And, the world should know that we know the difference as well.

In this bloody stalemate, one side is not entirely at fault and the other completely free of it. Both sides know fear. Both know hardship. Both know suffering and tragedy. But, instead of comparing and measuring wounds, we should aid in healing them. Rather than concentrating on the failures of war, we should focus on the possibilities of peace.

Peace should be the crux and motive of this measure. But, it is not, and so the Administration asked the House not to consider it. Yet, despite the objections, Congress does so anyway.

In lieu of H. Res. 392, Congress should offer its imprimatur, its influence, and its ideas to animate and encourage efforts to pave a pathway to peace. We know that the framework already exists in U.N. Resolution 242, 338, 1397, 1402, Oslo, and most recently, the Saudi Peace Initiative. We know that the basic formula is land for peace. We know that an economic recovery plan is necessary to rebuild and revitalize the region. We know that an international presence is required to sustain a final negotiated settlement. Now, we, the United States, must help to figure out how to forge it and flesh it out.

Undoubtedly, it will be hard. At the very least, it will require the commitment of the Israelis and the Palestinians. Both sides must meet the challenge and give to the other what it wants for itself—dignity, security and peace.

Ultimately, there will and must be two nations—Israel and a Palestinian state—living as neighbors, both sovereign, secure, stable, free and democratic. Only then, after such a long and tumultuous nightmare, Israelis and Palestinians will wake up in the Holy Land to a new morning. And, to peace.

CONGRATULATIONS TO KAY HALL

HON. JOE KNOLLENBERG

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. KNOLLENBERG. Mr. Speaker, I am particularly honored to rise today and congratulate and extend birthday wishes to an outstanding member of the Farmington Hills community, Kay Hall.

Over the past twenty-six years, Ms. Hall has served as a director for Mary Kay Cosmetics. On May 4, 2002, Kay makes her debut as a National Sales Director for Mary Kay, and this day also marks her 65th birthday. Kay's outstanding service has earned her a plethora of honors, including twenty-one years of free pink Cadillacs. Additionally, Kay has been honored for twenty years with membership in Unit Clubs, and fifteen years in the Half Million Dollar Unit Club. To top it off, Kay is Detroit's first Million Dollar Director.

In her twenty-four years as a director of Mary Kay Cosmetics, Kay has served as a shining example of determination and hard work. While her efforts have produced bonuses and excursions to exotic locations such as Hong Kong and Switzerland, she remains committed to her family. She has four adult children and three grandchildren, not to mention her husband, Robert Zuckerman. I know they are proud of Kay's many achievements.

Mr. Speaker, I am honored to join Kay Hall's colleagues in commending her for her many years of exemplary and dedicated service to Mary Kay Cosmetics. Her debut as a National Sales Director is a deserved honor indeed. Ms. Hall has left an indelible mark on not only the Mary Kay community, but also on southeastern Michigan. Again, I extend my congratulations and birthday wishes.

RECOGNIZING KENTUCKY'S NURSES

HON. ANNE M. NORTHUP

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mrs. NORTHUP. Mr. Speaker, I rise today to pay tribute to an important group of Kentuckians who continue to exhibit an incredible dedication to serving others. Nurses remain an integral part of our Kentucky community, as they are vital to our well-being and survival. The American Nurses Association and the Kentucky Nurses Association have declared May 6 to May 12, 2002 as Kentucky Nurses' week, and I encourage all Kentuckians to join with me in honoring the nursing profession.

The men and women of the nursing profession proudly represent all races, religions and creeds in a variety of settings. Whether serving in a large hospital, a small doctor's office or in one of their many other capacities, nurses are committed to providing quality health care to all citizens. As the nation's largest group of health professionals, nurses are assuming an ever increasing responsibility and accountability for their community's health care needs. They have continued to demonstrate their professionalism by striving to upgrade care standards and improve their services. In fact, I'm sure we can all remember a time where a nurse's kind words, or gentle smile, provided comfort.

With a wide variety of responsibilities, nurses are always prepared to offer the best possible health care to their patients. Nurses are there to help the sick get better and to make sure the healthy stay that way. Appropriately, the Kentucky theme this year is ''Unsung Heroes.'' I am proud to call attention to all of the nurses in our Kentucky community and hope you will join with me in celebrating the tireless efforts of our ''unsung heroes.''

CONGRATULATIONS TO THE UNIVERSITY OF MINNESOTA AND THE UNIVERSITY OF MINNESOTA-DULUTH ATHLETIC ACHIEVEMENTS

HON. BETTY McCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Ms. McCOLLUM. Mr. Speaker, I rise today to offer my congratulations to the University of Minnesota-Duluth Women's Hockey team and the University of Minnesota Men's Hockey and Wrestling teams for winning the 2002 National Collegiate Athletic Association championships. This great achievement honors the players, coaches, their respective schools and all Minnesotans.

The sport of hockey has a long and storied tradition in Minnesota and is recognized nationally as one of the leading states for the development of hockey players. From youth leagues to amateur leagues to professional players, Minnesota is known for producing some of the greatest hockey players in the history of the sport. It is only fitting, therefore, that both the women and men's hockey 2002 NCAA Championships were won by Minnesota schools.

Both the Bulldogs' 3–2 victory over Brown, which was their second in a row, and the Gophers' 4–3 victory over Maine were exhilarating wins, that kept all Minnesotans on the edge of their seats. Each of these teams deserves to be commended for their outstanding seasons.

I also want to recognize the 2002 Gophers men's wrestling team for another outstanding year. While not as well known as hockey, collegiate wrestling in Minnesota has made an outstanding name for itself, culminating in the Gophers' 2002 National Championship—also their second straight. In addition to the team championship, 2 members of the team earned individual wrestling titles and 7 garnered All-American honors. All the Gophers wrestlers and coaches deserve our congratulations.

I am especially proud that each of these three teams excelled in the classroom, as well as the playing field. In a day and age where all-too-often academics takes a back seat to athletics on many college campuses, all three teams maintained grade point averages that were above the university averages. The University of Minnesota and Minnesota-Duluth should be proud to recognize these true student athlete champions.

Congratulations to the University of Minnesota and University of Minnesota-Duluth on their achievements.

INTRODUCTION OF THE NURSE EDUCATION PROMOTION ACT

HON. MICHAEL E. CAPUANO

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. CAPUANO. Mr. Speaker, this week is National Nurses Week, and I am pleased today to join my good friend ERNIE FLETCHER in introducing important legislation that helps address the nursing shortage. Nurses constitute the nation's largest group of healthcare professionals. They serve in hospitals, nursing homes, schools, managed care facilities and community health centers, and their work is invaluable.

Unfortunately, there is an emerging labor shortage among this group of healthcare professionals. Fewer and fewer people are choosing nursing as a career. According to the General Accounting Office, between 1993 and 1996 enrollments at two-year associate degree programs dropped 11%, while enrollments at three-year diploma programs dropped 42%. Between 1995 and 1998, enrollments at four-year bachelors programs dropped 19%. Even so, the demand for nurses is increasing, and it will only grow as the baby boomers retire. The Congressional Research Service projects that the supply of nurses will fail to meet demand by 2010.

This crisis threatens to compromise the quality of healthcare in this country. Indeed, the Department of Health & Human Services reports that there is a ''strong and consistent relationship'' between nurse staffing and patient health. The GAO reports that between 2000 and 2030, the group of Americans who are 65 years of age and older will double. At the same time, the number of women between 25 and 54—the group that traditionally comprises most of the nursing workforce—is expected to remain the same. Mr. Speaker, more than ever we need nurses to care for our seniors. Unless we create incentives and opportunities for men and women to choose nursing as a career, this country will face a crisis in this decade.

To address this problem, my friend ERNIE FLETCHER and I have today introduced the bipartisan Nurse Education Promotion Act. Our bill addresses the nursing shortage in a number of important ways. First, it would establish a competitive grant program for associate degree nursing schools to be used for nursing student recruitment, student scholarships, and the hiring of faculty. Second, the bill would establish a competitive grant program for professional nurses associations, so that they may establish and administer continuing education programs, in cooperation with area hospitals and higher education institutions.

Under the continuing education programs, the nurses association would coordinate class work at a central location for which nurses could receive college credit towards a BSN (or equivalent degree) and/or training in an understaffed and critical nursing specialty. The clinical portion of the continuing education could be done at any of the participating hospitals.

While we support other legislation to alleviate the nursing shortage, we believe that by focusing on the two-year schools our bill gets nurses into the field more quickly. By providing money for continuing education, we hope to ensure that nurses are able to meet the changing and increasingly complex demands of our healthcare system. We hope our colleagues will join us in our efforts to alleviate the nursing shortage and head off a major healthcare crisis that is just on the horizon.

PAYING TRIBUTE TO DOUG DEAN

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Doug

Dean and thank him for his contributions in the Colorado General Assembly. His hard work and dedication is appreciated, and I am honored to pay tribute to him today before this body of Congress. As he moves on in his career, let it be known that I, along with the people of Colorado, am grateful for the work he has done for the state, and the Colorado General Assembly.

During his time in the Colorado State House of Representatives, Doug has provided his leadership to many legislative endeavors. Currently he serves the assembly as Speaker of the House, and has served on numerous committees during his tenure, notably the Executive committee, Legislative Council, the Business Affairs, Labor, State, Veterans, and Military Affairs committees. He has provided his focus and leadership not only as speaker, but also as Vice-Chairman of the Education committee and as House Majority Leader from 1999 to 2000. He has remained committed to many ideals throughout his terms, and has promoted the issues of education, judiciary affairs, telecommunications, law enforcement, and commerce.

In addition to his duties as a state representative, Doug is known as a devoted husband to Gloria, loving father of three, and is an active member of his community. He is a small business owner, and can often be found volunteering his time and energies as a volunteer parent for the United Way and on the sports field as a volunteer coach for youth baseball teams.

Mr. Speaker, it is a pleasure to bring to the attention of this body of Congress the accomplishments of Doug Dean and his service to Colorado. His contributions to his state and constituents, as both a member of the Colorado General Assembly and community volunteer, are an example of public and civic commitment to us all. Thanks for your leadership and commitment to Colorado, Doug, and I wish you all the best in the future.

TRIBUTE TO AARON ZACK PHILLIPS, SBA 2002 YOUNG ENTREPRENEUR OF THE YEAR

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Ms. SLAUGHTER. Mr. Speaker, I am pleased to announce to my colleagues that the American dream is alive and well in Rochester, New York. It can be found embodied in a Rochester businessman and booster who, though only 25 years old, has already achieved what others spend a lifetime trying to accomplish. His name is Aaron Zack Phillips, and he is president of Kink BMX, a manufacturer and distributor of BMX bicycle parts and related soft goods. He is also this year's national winner of the SBA's 2002 Young Entrepreneur of the Year Award.

Zack's middle name is self-reliance—a character trait always present in American dreamers. From the age of 12, he juggled school and part-time jobs like throwing papers or flipping hamburgers at fast food restaurants. By 18, he was the assistant manager for a local home improvement store, in charge of payroll, scheduling and inventory.

But at the same time that Zack was working for others, he was beginning his own business—out of pure frustration. Because the bicycle parts he bought kept breaking down, he decided that he could make them better and stronger—and did. Then, with the help of a media kit from a trade magazine and an advertising budget, he began selling them to other cyclists at competitions and skate parks.

The rest is history, hard work and an entrepreneurial drive that just won't stop—always necessary components in any successful American dream. At the age of 25, Zack now runs a million dollar business employing 6 people, which both manufactures the Kink line and distributes its products throughout the Midwest and California, as well as in Europe, Canada, Australia and Japan. He didn't do all this totally alone. Along the way, the U.S. Small Business Administration stepped in to guarantee the loans this young man could not get without its help, reminding us once again what a beneficial service this small Federal agency makes in the lives of Americans with lofty goals and high-flying dreams.

I am so proud of this young man—proud that he dreamed his dream, then made it a reality. But what really endears me to him is the way he ties his own economic well-being to that of his home-town. On every mailing, logo, brochure and marketing tool, he prints the words ''Rochester Made Means Quality Made,'' along with archival prints of our city and High Falls.

That slogan might just as well describe Aaron Zack Phillips, the SBA Young Entrepreneur of the Year.

INTRODUCTION OF THE NATIONWIDE GUN BUYBACK ACT OF 2002

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Ms. NORTON. Mr. Speaker, today I introduce the Nationwide Gun Buyback Act of 2002 (NGBA) to mark Mother's Day, in recognition of the strong support mothers across the nation have demonstrated for gun safety, and in light of continued gun violence in our communities. The NGBA would provide $100 million in federal funds to local jurisdictions to hold gun buyback programs similar to the successful programs conducted by the District of Columbia and other cities over the last three years. Under the bill, funds would be distributed through the Bureau of Alcohol, Tobacco, and Firearms and, after evaluation of proposals, added weight would be given to jurisdictions with the greatest incidence of gun violence. The NGBA would require that a jurisdiction certify that it is capable of destroying the guns within 30 days, that it can conduct the program safely, and that an amnesty appropriate for the jurisdiction will be offered. Not only individuals, but groups such as gangs could take advantage of the buyback provisions to bring in guns and encourage street gangs to disarm themselves.

Families, and especially mothers, fear guns in their homes, but have not known how to get rid of them. In many jurisdictions, a grandmother, father or other family member may be petrified that there is a gun in the house but cannot turn it in without subjecting the family member or her grandson to possible prosecution. This unintended result of gun safety legislation is reason enough for the amnesty achieved through gun buyback efforts.

This bill is necessary because, despite the extraordinary demonstrated success of the gun buyback program in the District, in which over $528,000 was spent to recover 6,250 firearms in three buybacks, local jurisdictions lack readily available funds for similar programs. The experience of the District of Columbia is instructive. The District was forced to find money on an ad hoc basis and ran out of funds despite indications that there were many residents who still desired to turn in guns. Initially, the District conducted a pilot program using funds from the Department of Housing and Urban Development. The response of the public was so strong, with residents standing in long lines, that the Police Department took the program citywide, using drug asset forfeiture funds. Even so, after using $290,000, the city ran out of funds, but not of guns that could have been collected.

The guns were considered a ''good buy'' because they were unlicensed and illegally possessed, but hard-pressed jurisdictions, especially big cities, should not have to rob Peter to pay Paul when it comes to public safety. The federal government can play a unique and noncontroversial role in reducing gun violence by providing the small amount authorized by my bill, $100 million, to encourage buybacks efforts where they can be helpful.

With this bill, we are taking the gun buyback leadership of the District and other cities nationwide. We have demonstrated a faster and easier way to get guns where criminals cannot use them and children and adults cannot misuse them. Gun buyback efforts are not new, but the recent, dramatic impact of the program of the District and other jurisdictions have special bipartisan and natural appeal today because the program is voluntary and requires no change in local laws. My bill has the added feature of skirting the present stalemate in the Congress, where we have yet to pass a gun safety bill. A gun buyback bill is no substitute for gun safety legislation, but my bill is based on demonstrated and successful experience in a number of cities that have achieved voluntary compliance by citizens with local laws.

Two years ago this weekend, almost a million mothers and their families gathered on the Mall to demand that Congress heed their call to enact strong gun safety legislation. These families believed that the federal government has an obligation to help protect our children and all our citizens. It is time that we fulfill that obligation by at least passing a bill that takes guns out of unauthorized hands.

I urge my colleagues to support this vital legislation.

CONGRATULATING GEN. CHARLES CUNNINGHAM

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. MORAN of Virginia. Mr. Speaker, I rise today to pay tribute to Lt. General (RET) Charles J. Cunningham, Jr., the Director of the Defense Security Service (DSS). General Cunningham is retiring from his position on May 31, 2002 after 43 years of service to his country.

For over four decades, Lt. General Chuck Cunningham has worked in a tireless and selfless manner, serving our nation with great distinction. He began his career as an officer in the United States Air Force. As a fighter pilot, Chuck flew 366 combat missions in Vietnam, earning numerous awards including the Distinguished Flying Cross and the Air Medal with 27 Oak Leaf Clusters. He served as a commander at all levels of the Air Force originating in the 480th Tactical Fighter Squadron and ascending into the 12th Air Force.

Following several successful years in the private sector, Chuck began his second government career, serving in many positions ranging from Commandant of the Joint Military Intelligence College to Senior Regional Representative for the Defense Intelligence Agency in Europe. During the past three years as the Deputy Assistant Secretary for Defense (Intelligence), General Cunningham made one of the most important contributions to our country over the course of his illustrious career. Through his indomitable perseverance, General Cunningham inspired his agency, the Defense Security Service, by leading it through a challenging transformation, enabling the DSS to reach its full potential as a critical element in our national security framework. For his effort, General Cunningham earned the prestigious Defense Civilian Distinguished Service Medal.

Mr. Speaker, I ask the House to join me in congratulating Chuck Cunningham as he prepares to begin a new phase of his life. Words alone do not give Justice to the integrity, pride and professionalism of this officer and gentleman. He is an inspiration to every American and a role model for all public servants. Thank you, Chuck, for the dedication of your life's work to the service of our nation and its people.

EXPRESSING SOLIDARITY WITH ISRAEL IN ITS FIGHT AGAINST TERRORISM

SPEECH OF

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 2002

Mrs. MINK of Hawaii. Mr. Speaker, I am amazed that this Resolution has been placed on the calendar for a vote. All last week the newspapers have been reporting that the White House has been urging that it not be brought up. Following the trip to the Middle East by Secretary Colin Powell and following the recent discussions by the President himself with Prince Abdullah of Saudi Arabia real progress has been made. There is agreement to have a peace conference. Yasser Arafat was freed by the Israelis from his compound in Ramallah. Things have been delicately put in place for a political solution to be agreed to. Why would the President's own party leader want to take the chance of upsetting these hard won points? The answer must be that they do not want Peace. If they were for Peace, they would be willing to give Peace a chance.

If they had to say something to indicate continuing support for Israel in the difficult times it faces, they could have agreed to the Senate Resolution 247, offered by Senator JOSEPH LIEBERMAN. I would have voted for this resolution. It was balanced and urged all parties in the region to pursue vigorously efforts to establish a just, lasting, and comprehensive Peace in the Middle East.

Congress should allow the President and his Secretary of State to work for a settlement. I object to taking up this Resolution at this time and therefore will vote ''Present''.

PAYING TRIBUTE TO ROBERT GUSTAFSON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, it is with a solemn heart that I take this opportunity to pay respect to the passing of Robert Gustafson, who recently passed away after almost a century of commitment to his community and his state. Robert was a pillar of the Grand Junction, Colorado community, and as his family mourns his loss, I think it is appropriate to remember Robert and pay tribute to him for his contributions to Colorado.

Robert was a shining example of a man thoroughly involved in his community. Robert was a member of the National Rifle Association, the Orchard Mesa Gun Club and the Lutheran Church. He was a past district leader of the Grand Junction YMCA, a past commissioner of the Health and Safety Boy Scout Western Council, a merit badge counselor to the Boy Scouts Western Council, and a lifetime member of the Colorado Association of School Boards and the National Association of School Boards. In an effort to serve his community, Robert gave his time and leadership as the Vice President of Grand Junction Kiwanis Club, as Vice President of the Grand Junction Chamber of Commerce and President of the Wiseman's Club Grand Junction. Robert also served his country proudly during World War II as a member of the Ration Board.

Robert was known for his love of outdoor activities, including fly fishing and gardening, and was well known for his abilities as a silver smith, gunsmith, and woodworker. His musical abilities on both the violin and the saxophone were well regarded, and he was the first chair violinist in the Mesa College Symphony Orchestra. Robert was a favorite uncle of many nieces and nephews and will be remembered by many for his kind soul and gentle spirit.

Mr. Speaker, it is my privilege to pay tribute to Robert Gustafson for his contributions to the Grand Junction community. His dedication to his family, friends, work, and community certainly deserves the recognition of this body of Congress, and this nation. Although Robert has left us, his good-natured spirit lives on through the lives of those he touched. I would like to extend my thoughts and deepest sympathies to Robert's family and friends during this difficult time of bereavement.

HEMATOLOGICAL CANCER RESEARCH INVESTMENT AND EDUCATION ACT OF 2001

SPEECH OF

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, April 30, 2002

Mrs. MALONEY of New York. Mr. Speaker, I am honored today to pay tribute to my good friend and distinguished former member of New York's congressional delegation Geraldine Ferraro. Last week on the House floor, during the debate on H.R. 2629, the Hematological Cancer Research Investment and Education Act, several members spoke of Ms. Ferraro's work on behalf of this legislation. I would like to join my colleagues in praise of Geraldine Ferraro.

Ms. Ferraro continues to be an inspiration to all citizens of this country by her life-long devotion to public service. Her recent decision to forego her privacy and disclose her personal struggle with blood cancer, in order to raise public awareness of the disease, is yet another example of her courage and compassion. In 2002, approximately 106,000 individuals will be diagnosed with hematological cancers, including leukemia, Hodgkin's disease, non-Hodgkin's lymphoma, and multiple myeloma. Taken together, the hematological cancers are fifth among cancers in incidence. Although there has been impressive progress in the last 50 years in understanding the cause and treatment of blood-related cancers, much more research needs to be done. Ms. Ferraro's advocacy for more research has resulted in the ''Geraldine Ferraro Cancer Education Program'' which provides funding for the treatment and detection of blood-related cancers.

Ms. Ferraro has been a hero of mine for a long time. We both started our careers as teachers in the New York City school system. Before she changed history by being the first woman vice-presidential candidate on a national party ticket, she spearheaded efforts to pass the Equal Rights Amendment (ERA) while serving in Congress. I am proud to continue the work begun by Ms. Ferraro more than 20 years ago by sponsoring the current equality amendment (H.J. Res 40). I can think of no better tribute to Ms. Ferraro than passage of the equality amendment in the 107th Congress.

Passage of H.J. Res. 40 will improve the quality of life for women in this country which is Ms. Ferraro's legacy. In addition to the ERA, Ms. Ferraro sponsored the women's Economic Equity Act, which ended pension discrimination against women, provided job options for displaced homemakers and enabled homemakers to open IRAs. After she left Congress, she served as United States Ambassador to the United Nations Human Rights Commission. In September 1995, she served as Vice-Chair of the U.S. Delegation at the Fourth World Conference on Women held in Beijing. I was also honored to be a member of the delegation.

We are all indebted to Geraldine Ferraro for her courage and resilience in facing difficult issues. I wish to publicly commend her for her remarkable career in public service which continues today through her personal efforts to increase understanding of blood-related cancers.

TRIBUTE TO LATA' BRIONE FOSTER, AAA 58TH ANNUAL TRAFFIC SAFETY POSTER CONTEST WINNER

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Ms. SLAUGHTER. Mr. Speaker, I am pleased to recognize a delightfully artistic five-year-old of Rochester, New York. Lata' Brione Foster has been selected, out of 83,000 entries, to win the Grand Award in the 58th Annual Traffic Safety Poster Contest sponsored by AAA.

The poster contest encourages students from Kindergarten through High School to create a poster concept that encourages correct behavior in pedestrian, bicycle, and driving techniques. The program promotes creativity and teaches students the importance of traffic safety. Miss Foster's poster will be used in the association's national safety campaign for the next year.

The first kindergartner from Western New York to win a Grand Award, Lata' will receive a $500 savings bond from AAA. Lata' is also being honored in Washington, DC on May 3rd through 7th for Traffic Safety Week. She had the pleasure of being the Grand Marshall in the annual Safety Patrol Parade down Constitution Avenue on May 4th.

On behalf of the 28th district of New York, I congratulate Lata' Brione Foster for her hard work on such an innovative piece of art. Lata' has received a wonderful accolade and we all truly wish her many more in the future. I am sure that this is not the last time we will hear of young Lata' doing magnificent things.

TRIBUTE TO KAITLIN McCLOUGHLIN

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. LEVIN. Mr. Speaker, I rise today to pay tribute to Kaitlin McLoughlin, a young woman from Troy, Michigan who has been awarded the 2002 Michigan AAA Club Patroller of the Year and the National Club Patroller of the Year.

The AAA School Safety Program began in 1920 and now includes more than 500,000 patrollers in 50,000 schools across the United States and Canada. This program helps ensure the safety of younger children while teaching responsibility to the older children.

Kaitlin has served as the Safety Patrol Captain at Our Shepherd Lutheran School for the past two years. In that capacity, she is responsible for escorting the children into the school, maintaining a weekly record of her safety squad, organizing the safety squad and assigning duty stations.

Her school principal has described Kaitlin as dependable, clear thinking, calm and well-respected. She is also very well-rounded. Kaitlin is co-captain of the school cheering squad, vice-president of the student council, acts as Mistress of Ceremonies for the school talent show and serves as co-chair for the school dance. She also helps with various school fundraisers and works in the local food bank.

Mr. Speaker, I salute Kaitlin and all this year's award recipients for their lifesaving contributions to the safety of their fellow students.

PERSONAL EXPLANATION

HON. LUIS V. GUTIERREZ

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent from this chamber on April 30, 2001 when rollcall votes Nos. 117, 118 and 119 were cast. I want the record to show that had I been present in this chamber at the time these votes were cast, I would have voted ''yea'' on each of these rollcall votes.

PAYING TRIBUTE TO EDWIN GEORGE PERLMUTTER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, it is an honor today to recognize the accomplishments of Edwin George Perlmutter and his tenure in the Colorado General Assembly. For many years, Ed has faithfully served his constituents and fellow Coloradans in his service to civil, business, and volunteer communities. He is now leaving the state assembly to pursue new undertakings, and as he finds use for his talents elsewhere, I can think of no better way to thank Ed for his hard work and service than to bring forth his accomplishments before this body of Congress, and this nation.

Ed is an attorney providing law services to his community with the firm of Berenbaum, Weinshienk & Easton, P.C. since 1978. In 1994, he began his political career in the state senate and has served as Vice-Chair of the Public Policy and Planning committee, and a member of the Legal Services and Legislative Council committees. He is well regarded as a selfless volunteer to needy causes and divides his time among various charities in his area. He serves as a member of the Applewood Business Association, as well as the West, Northwest and Golden Chambers; and is frequently seen providing his energy to multiple sports youth associations, Maple Grove Elementary School, the Girl Scouts, and the Applewood Community Church. When Ed is not working in the legislature he is serving in his other role as loving husband and devoted father of three children.

Mr. Speaker, Ed has long been a valued member of our Colorado community, both as an elected official and as a citizen. While I am sure he will be missed in the Colorado State Senate, I know that he will undoubtedly succeed in his future undertakings and I am proud to be able to bring his hard work and dedication to the attention of this body of Congress, and this nation. Thank you Ed, for all of your hard work for Colorado and good luck in your future endeavors.

HONORING CHARLES R. (CHUCK) HUGGINS ON HIS RETIREMENT

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. PASTOR. Mr. Speaker, I rise to honor Chuck Huggins for the 30 years of service he has given to the State of Arizona. Chuck will be retiring as the Secretary-Treasurer of the Arizona AFL–CIO in May. He has served the people of Arizona well and his dedication and professionalism will be missed.

Chuck knows the challenges and rewards of being a working man. He started as an Apprentice Electrician in 1964 and soon became a Journeyman Electrician in both the mining and construction industries.

As an active member of Local 518 of the International Brotherhood of Electrical Workers, he began showing the skills and instincts necessary for leadership. But, in today's world, he knew that hard work was sometimes not enough. He realized that education was important, too. So he continued to educate himself in accounting and business management at Eastern Arizona College and the University of Houston.

Chuck has pioneered innovative programs to help Arizona's workers be better prepared to meet the economic demands of our State. He has initiated training initiatives and re-training programs that have ensured that union members who have fallen behind due to no fault of their own can meet the challenges they may face in new work environments. He has served on the Governor's Workforce Development Committee, and is an active member of his church.

Chuck believes the most effective way to build strong communities is through the organization of strong individuals. He has led the AFL–CIO members through many difficult years, when some believed that Unions were dead and they no longer spoke for the average working American. Chuck proved all this wrong and has shown his fellow Union members that they have a place at the table, they are a force, and they are the strength and backbone of our communities and society.

Mr. Speaker, there is no question that Chuck will be missed by his fellow union members and all working people. But, even more, he will be missed by the people in Arizona. Chuck kept us honest because he was honest. He knew that a hard day's work rendered a hard earned reward. He knew that if you paid the price, you moved ahead. And he showed us all how to pay the price.

Chuck, we all wish you health and happiness and give thanks for your showing us the way.

PAYING TRIBUTE TO DAVID McKINNON

HON. MIKE ROGERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. ROGERS of Michigan. Mr. Speaker, I rise today to congratulate the 2001 winner of the International Franchise Association's Entrepreneur of the Year award, David

McKinnon. As CEO and chairman of Service Brands International, Mr. McKinnon is dedicated to vision, leadership, perseverance, integrity and ethics.

Mr. Speaker, this award is bestowed on someone who exemplifies the ''entrepreneurial spirit'' that franchising represents. A person who demonstrates innovative management skills, is a risk taker and remains active in his or her community. David McKinnon certainly possesses all of these qualities. He has spent his career building, losing, re-obtaining, and rebuilding a top quality franchise that now sets the standard for others.

Mr. McKinnon started out his career with a small company known as Molly Maid. Today, the Service Brands International serves as the umbrella company for, not only Molly Maid, but also Mr. Handyman, 1–800–DryClean, Wee Watch, Certified Restoration DryClean Network, and Fran Tech.

This award should not go without recognition. Therefore, Mr. Speaker, I respectfully ask my colleagues to join me in paying tribute to David McKinnon for his outstanding achievements in business and in wishing him continued success.

EXPRESSING SOLIDARITY WITH ISRAEL IN ITS FIGHT AGAINST TERRORISM

SPEECH OF

HON. ALBERT RUSSELL WYNN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 2002

Mr. WYNN. Mr. Speaker, I rise in favor of H. Res. 392, which expresses our solidarity with Israel in its fight against terrorism. It is important to stand with our friend and ally, Israel, in times of stress and turmoil. While I have great sympathy for the loss of life of innocent Palestinians, I dare say that if our hometowns were being attacked by suicide bombers—no matter what their grievance—we would respond much the same way as Israel! Witness our war in Afghanistan. Civilian casualties are the ultimate cost of terrorism and the inevitable military response it provokes.

While we stand strongly with Israel, we must not confuse passing a resolution with finding workable solutions to the Palestinian-Israeli conflict. Congress needs to press the Administration for a resolution to the conflict. To his credit, President Clinton tried mightily in his last days of office to broker a final settlement and came very close. However, Yasser Arafat refused a deal which many leaders around the world felt was reasonable.

Unfortunately, the Bush Administration did not stay the course. Neglected, the conflict festered until the events of September 11th brought it back to the forefront of U.S. foreign policy. Now that the Administration is engaged in the peace effort with Secretary Powell as our highly competent point man, we need to stay engaged.

We cannot, however, go it alone. In an age of global interdependence, we will need constructive assistance from the so-called 'quartet'—the U.S., EU, U.N. and Russia—to help foster a deal that is fair to both sides. We must also push moderate Arab states to play a more constructive role in the region, as Secretary Powell has begun to do. Yasser Arafat will not accept a peace agreement that the Arab world believes to be unfair to the Palestinians. Their cooperation is essential.

Stephen Rosenfeld's April 30th Op-Ed in the Washington Post suggested that perhaps it is time to reconsider our strategy in the Middle East. Endgame issues such as refugees, Jerusalem and the security of Israel's border should not be relegated to some unspecified date. This strategy has only resulted in piecemeal, and ultimately, unsatisfactory agreements. These tough issues should be clarified early on so that both parties can see the full scope of a peace settlement.

In addition to Israel's security, Egypt, Jordan and Saudi Arabia risk being significantly destabilized if a lasting peace agreement is not reached. Also, our objectives in dealing with Saddam Hussein are significantly complicated by the continued violence in the Middle East.

Thus, while we have to stand with Israel in her fight against terrorism, we also have to stand and work for peace. It is in Israel's interest and ultimately, our own.

TRIBUTE TO PAULA BARTON, GOODWILL INDUSTRIES INTERNATIONAL GRADUATE OF THE YEAR

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Ms. SLAUGHTER. Mr. Speaker, I would like to take this opportunity to recognize an outstanding constituent: Paula Barton, Goodwill Industries International's 2002 Graduate of the Year.

Ms. Barton is a team leader at ADT Security Service's Rochester Dispatch Center, where she supervises fifteen people and schedules installations and service for technicians. But Ms. Barton is not simply a capable and competent worker and supervisor. She does this outstanding job in the face of daunting challenges.

Ms. Barton, who is now 27, was born with cerebral palsy, diabetes, and a learning disability, as well as a disorder that causes progressive vision impairment. Diabetes caused her to have to undergo a kidney and pancreas transplant. She persevered through these obstacles to finish her schooling and enter the workplace. Then, five years ago, she was a passenger in an auto accident with a drunk driver. The accident left her paralyzed, without the ability to walk and with only limited use of her hands.

Many people would have considered these hurdles to be insurmountable—but not Ms. Barton. She was determined to remain a successful professional. She took each issue in stride, adjusting her lifestyle and habits. She now rises around 5:00 am to be ready for work on time. Her employer, ADT, has provided modest accommodations at work, including a special desk to fit her wheelchair and a large computer screen. Her service dog, Sheba, assists her with various tasks. And she continues to win accolades for her work at ADT.

Based on her extraordinary accomplishments, Ms. Barton was selected from among thousands of individuals nationwide to be Goodwill Industries International's 2002 Graduate of the Year. She met President Bush on Monday and took the opportunity to impress upon him the importance of helping persons with disabilities be active, contributing members of the workforce.

I am deeply proud to represent Paula Barton: a successful employee, a delightful individual, and a true inspiration to us all. She serves as a shining example of everything that can be accomplished with an indomitable will to succeed.

PAYING TRIBUTE TO NOLBERT CHAVEZ

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Nolbert Chavez and thank him for his contributions in the Colorado General Assembly. His hard work and dedication is greatly appreciated, and I am honored to pay tribute to him today in front of this body of Congress. He will long be remembered as an effective State Representative, and will continue to be known as a leader in the community. As he moves on in his career, let it be known that I, along with people of Colorado, am grateful for all that he has done for the Colorado General Assembly.

During his four terms in the Colorado State House of Representatives, Nolbert has served on a number of committees, including his two current committees, Criminal Justice and House Services. In addition, he is active in the North Denver Democratic Party, was appointed twice to the Governors Developmental Disabilities Planning Council.

Not only has Nolbert served the community effectively as a member of the Colorado General Assembly, he has also done his part as an active humanitarian. He is on the Board of Directors of the Colorado Hispanic Media Association, and is the past director of the Denver Community Development Corporation and El Dorado Development Corporation. He is a Public Information Officer with Denver Options, and is also a real estate broker. Perhaps most importantly, Nolbert is married to his wife Judy, and the two have a daughter, Hope Christina.

Mr. Speaker, it is clear that Nolbert Chavez has served his state well by providing significant service during his distinguished tenure in the Colorado General Assembly. I am honored to be able to bring his hard work and dedication to the attention of this body of Congress. It is my privilege to be able to express to him, and to this country, my gratitude for all that he has done for our wonderful state, and I wish him all the best in his future endeavors.

NATIONAL SMALL BUSINESS WEEK AUSTIN'S SMALL TECHNOLOGY BUSINESSES

HON. LAMAR S. SMITH

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. SMITH of Texas. Mr. Speaker, this week is National Small Business Week.

It is a time to celebrate the contributions that America's small businesses make to our economy. Small business is the engine that drives this nation, producing 75 percent of new jobs, accounting for almost 98 percent of all employers and 53 percent of the private work force. It is our small businesses that will continue to lead us to economic recovery. In particular, small tech businesses are on the front lines of the digital revolution. They have led the way in advances from broadband deployment to software development.

My State of Texas ranks second nationally in high tech workers, employing more than 411,000 with an annual payroll of about $25 billion. Many of those employees are working for small businesses. And my new congressional district contains thousands of small, innovative high tech centered businesses.

One such company is Advent Networks in Austin. Advent was founded in 1999 and has already 87 employees. Advent Networks has created a new technology for cable operators. They are able to deliver Internet connections to small businesses over existing cable networks. This will allow cable operators the ability to offer fiber-optic speeds to small businesses.

With this new technology, affordable broadband access to small businesses will be delivered 1,000 times faster than with dial-up connections. Advent is just one of the thousands of small technology businesses around the country connecting rural America, developing next generation hardware and software, and keeping America in the forefront of technological advances.

RECOGNIZING GRAIG B. TURSON ON HIS APPOINTMENT TO THE U.S. AIR FORCE ACADEMY

HON. PAUL E. GILLMOR

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. GILLMOR. Mr. Speaker, it is with great pride that I rise today to recognize my constituent, Graig B. Turson of Plymouth, Ohio, who recently accepted his appointment to the U.S. Air Force Academy.

Graig will soon graduate from Plymouth High School. During his high school career, he has maintained a 4.0 grade point average and is ranked first in his graduating class. He is an accomplished athlete, earning varsity letters in basketball, baseball and cross country. And, he has demonstrated his leadership ability, serving as captain of the basketball and baseball teams, and as President of the senior class.

Graig Turson can be very proud of his many accomplishments. He is a credit to his family, his school, and his community. By accepting his appointment, Graig is accepting a unique challenge.

The Academy is the pinnacle of leadership development for the United States Air Force. As a member of the Cadet Air Wing, he will face a most demanding academic curriculum and physical regimen. He will live, study and prepare in an environment where strong leadership thrives, individual achievement is expected, and personal integrity is demanded.

Mr. Speaker, General John W. Vessey, Jr. once wrote, ''The Nation's ability to remain free and at peace depends in no small measure on whether we will continue to inspire our youth to serve.''

I am confident that Graig Turson has the character and ability to excel at the U.S. Air Force Academy. I ask my colleagues to join me in wishing him well as he begins his very important service to our nation.

PAYING TRIBUTE TO PAT PASCOE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I take this opportunity to recognize the work of Pat Pascoe, a woman whose dedication and commitment to her fellow citizens deserves the attention of this body of Congress and this nation. After serving as a senator in the Colorado State Senate for three terms Pat is retiring from the Colorado General Assembly. It is with a great deal of respect that I take this opportunity to honor her accomplishments.

Born in Wisconsin, Pat came to Colorado in order to pursue her undergraduate degree, and has remained ever since. She began her career as a writer specializing in politics and education, and then went on to become a professor at Metropolitan State College and the University of Denver. Elected to the Senate in 1989, 1994, and 1998, Pat has dedicated countless hours to her fellow citizens in Colorado. As a State Senator, Pat has served on numerous committees, including her current posts as chair of the Public Policy and Planning Committee and Vice-Chair of the Education Committee, as well as Appropriations and Transportation. Pat has a passion for her work, taking on a variety of issues, including family, education and the environment.

Pat is a woman who recognizes the importantance of humanitarian service, as well. She is a Member of the Consortium of Community Arts Councils, and a board member on the Colorado Endowment for Humanities, as well as Opera Colorado. She is a member of the Samaritan House, the Capital Hill Club, the Lions Club and many neighborhood associations. She is also a devoted wife and mother of three who enjoys music and singing.

Mr. Speaker, during her tenure in the Colorado General Assembly, Pat has compiled a long list of accomplishments, and they have not gone unnoticed. She has received numerous prestigious awards including the Donor Awareness Award, Children's Champion Award, and the Religious Freedom Award. Through her hard work and commitment she has also earned the respect and admiration of her colleagues. Pat is truly a valued member of our Colorado community, both as a state senator and as a citizen, and her hard work and dedication certainly deserve the attention of this body of Congress. Thank you, Pat, for all that you have done for your community, your state and your country.

RECOGNIZING FIVE OUTSTANDING EDUCATORS INDUCTED INTO NATIONAL TEACHERS HALL OF FAME

HON. JERRY MORAN

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. MORAN of Kansas. Mr. Speaker, I rise to recognize five outstanding educators who today were announced as inductees into the National Teachers Hall of Fame in Emporia, Kansas. This is the 11th year of inducting members into the Hall of Fame, whose mission is to honor exceptional teachers and promote excellence in teaching. I congratulate today's honorees.

These inductees are being honored for their devotion to our nation's children and for their many contributions to their communities. Students in inductee Dana K. Kelly's Southwest Elementary in Lakeland Florida, adopted 50 children school for the deaf, and send them monthly care packages from mittens to candies. Janice Gould, an art teacher at Lawrence Hall Youth Services in Chicago, Illinois, helped her students create a Permanent Children's Art Collection for the Illinois State Board of Education. This project demonstrates what special-needs children can create when given the proper environment to flourish. Fellow inductee Jane Bray Nelson, a physics teacher at University High School in Orlando, Florida, is distinguished not only by her many awards, but by her students' admiration.

I am especially proud to announce that two of this year's inductees hail from my home state of Kansas. E. May (Pat) Lindquist is a tutor and substitute teacher in Brookville. Ms. Lindquist has dedicated 54 years of her life to teaching, having first taught in a one room school house in 1931. Liza Zahn Crooks is a fourth grade teacher at Black Bob Elementary School in Olathe, Kansas. Ms. Crooks is known for developing innovative teaching tools, including the Good Bears of the World program in which students give a teddy bear to people going through difficult times, particularly children and senior citizens. I commend each of these individuals for their commitment to excellence in education.

Teachers are so important. When you ask people who has made a difference in their lives, the answer you are likely to hear is ''my teacher.'' My own interest in the world outside my Kansas hometown was sparked by my teachers, who in grade school and high school taught me the love of books, biography, politics and history.

Every day, in schools all across America, teachers provide similar guidance to the next generation of students—teachers who, for inadequate pay, educate not only with facts and figures, but also instill a love for learning and a sense that there is a world out there beyond the city limits of our hometowns. No matter how lofty the goals, no matter how difficult the road, teachers have been there to show us that, yes, our dreams are possible, and that, yes, we can succeed.

So on National Teacher Day, I salute these five educators for their dedication to the youth of America. May you always find satisfaction in knowing that you have made a tremendous difference in the lives of your students. Thank you.

EXPRESSING SOLIDARITY WITH ISRAEL IN ITS FIGHT AGAINST TERRORISM

SPEECH OF

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 2002

Mr. PAUL. Mr. Speaker, this legislation could not have come at a worse time in the ongoing Middle East crisis. Just when we have seen some positive signs that the two sides may return to negotiations toward a peaceful settlement, Congress has jumped into the fray on one side of the conflict. I do not believe that this body wishes to de-rail the slight progress that seems to have come from the Administration's more even-handed approach over the past several days. So why is it that we are here today ready to pass legislation that clearly and openly favors one side in the Israeli-Palestinian conflict?

There are many troubling aspects to this legislation. The legislation says that ''the number of Israelis killed during that time [since September 2000] by suicide terrorist attacks alone, on a basis proportional to the United States population, is approximately 9,000, three times the number killed in the terrorist attacks on New York and Washington on September 11, 2001.'' This kind of numbers game with the innocent dead strikes me as terribly disrespectful and completely unhelpful.

It is, when speaking of the dead, the one-sidedness of this bill that is so unfortunate. How is it that the side that loses seven people to every one on the other side is portrayed as the sole aggressor and condemned as terrorist? This is only made worse by the fact that Palestinian deaths are seen in the Arab world as being American-inspired, as it is our weapons that are being used against them. This bill just reinforces negative perceptions of the United States in that part of the world. What might be the consequences of this? I think we need to stop and think about that for a while. We in this body have a Constitutional responsibility to protect the national security of the United States. This one-sided intervention in a far-off war has the potential to do great harm to our national security.

Perhaps this is why the Administration views this legislation as ''not a very helpful approach'' to the situation in the Middle East. In my view, it is bad enough that we are intervening at all in this conflict, but this legislation strips any lingering notion that the United States intends to be an honest broker. It states clearly that the leadership of one side—the Palestinians—is bad and supports terrorism just at a time when this Administration negotiates with both sides in an attempt to bring peace to the region. Talk about undermining the difficult efforts of the president and the State Department. What incentive does Palestinian leader Yasser Arafat or his organization have to return to the negotiating table if we as ''honest broker'' make it clear that in Congress's eyes, the Palestinians are illegitimate terrorists? Must we become so involved in this far-off conflict that we are forced to choose between Arafat and Israeli Prime Minister Ariel Sharon? The United States Congress should not, Constitutionally, be in the business of choosing who gets to lead which foreign people.

Many people of various religious backgrounds seem determined to portray what is happening in the Middle East as some kind of historic/religious struggle, where one side is pre-ordained to triumph and destroy the other. Even some in this body have embraced this notion. Surely the religious component that some interject into the conflict rouses emotions and adds fuel to the fire. But this is dangerous thinking. Far from a great holy war, the Middle East conflict is largely about what most wars are about: a struggle for land and resources in a part of the world where both are scarce. We must think and act rationally, with this fact clearly in mind.

Just as with our interventionism in other similar struggles around the world, our meddling in the Middle East has unforeseen consequences. Our favoritism of one side has led to the hatred of America and Americans by the other side. We are placing our country in harm's way with this approach. It is time to step back and look at our policy in the Middle East. After 24 years of the ''peace process'' and some 300 million of our dollars, we are no closer to peace than when President Carter concluded the Camp David talks.

Mr. Speaker, any other policy that had so utterly failed over such a long period of time would likely come under close scrutiny here. Why is it that when it comes to interventionism in the Middle East conflict we continue down this unproductive and very expensive road?

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

SPEECH OF

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 2, 2002

Ms. BROWN of Florida. Mr. Speaker, due to unforeseen circumstances, I was unable to cast a vote on H. Res. 404, rollcall vote No. 126, ''Expressing Solidarity with Israel against the fight against terrorism.'' Had I been present, I would have voted ''yes'' on the measure.

I am hopeful that President Bush and Secretary of State Colin Powell will continue their push to bring an end to the violence and renew a viable diplomatic process between the two sides. I am also extremely glad to see that the administration is planning a Mideast Peace Conference among the regional leaders to discuss the various plans for peace that have been put forward. I am hopeful that the Arab Nations accept this offer, and are ready to sit down at the table to seriously discuss a cessation to the violence.

As a strong proponent of continued U.S. support and friendship to Israel, I am a proud cosponsor of H.R. 1795, the Middle East Peace Commitment Act. In all my years in Washington, I have been a strong supporter of Israel, and was fortunate to travel to Israel during my first year in office with members of the American Israel Public Affairs Committee. I remember this trip with pleasure, and was more than impressed with the free and democratic society that the citizens of Israel have built in their short, fifty four year history.

However, for the United States to continue its sponsorship of the Middle East peace process, we need a commitment from Yassir Arafat to refrain from terrorism. The basis for U.S. support for peace, including the acceptance of the Palestine Liberation Organization (PLO) and Palestinian Authority (PA) as diplomatic partners for peace, requires Yassir Arafat's PA to renounce in words and actions, all forms of violence to achieve their national aspirations. Chairman Arafat needs to rein in radical elements in the territories, as it is completely impossible for the Israelis to negotiate with groups that support or commit acts of random terror.

On the other hand, I strongly believe that Israel must make concessions as well to obtain a lasting peace. For instance, Israel needs to continue negotiating with the Palestinian Authority, as well as the surrounding Arab states, if necessary. The United States, as a broker and overseer of the peace process, must encourage communication between the Israelis with the Palestinians, as well as promote a cessation of military incursions in the territories. These incursions I believe, are not productive for the peace process, and will in the end only produce more violence and radicalism among the already uncontrollable Palestinian factions.

Again, I am hopeful that both sides are able to reach an agreement in the very near future to put an end to this seemingly endless cycle of violence, and that the United States will continue to support negotiations and compromise between the two sides.

PAYING TRIBUTE TO MARY ELLEN EPPS

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Mary Ellen Epps and thank her for her extraordinary contributions in the Colorado General Assembly. Her dedication to both her job and the people of Colorado deserves the recognition of this body of Congress and this nation. She will be remembered as a State Senator and Representative with the utmost dedication to her constituents and as she moves on in her career, I would like to thank her for her hard work in the Colorado General Assembly.

Mary Ellen was elected to the Colorado State Senate in 1998 after being elected to the Colorado State House of Representatives in 1986, and has served on a number of committees during her tenure. She served as chairwoman of HEWI, and the Medically Indigent Committees, and has been a member of the Judiciary, Transportation, Legislative Legal Services, Adult Criminal Justice, Juvenile Offenders, House Services and Health Care Committees, among others. As an elected official, Mary Ellen has long been an advocate of criminal justice and healthcare. She has effectively implemented a number of programs and legislation to help aid the citizens of Colorado in these areas, including mandatory immunizations for children and automobile insurance penalties for the uninsured.

Not only has Mary Ellen served the community effectively as a member of the Colorado General Assembly, she has also done her part as an active humanitarian. She is a charter

member of the Security Lioness Club, a lifetime VFW member, and a member of the School District #3 Advisory Board long-range task force. She is also an active member of the Optimists Club and has served on the El Paso County Planning Commission. In addition to her humanitarian endeavors, Mary Ellen is the proud mother of three daughters, Marsha Epps, Kelly Hromas and Heather Segura.

Mr. Speaker, it is clear that Mary Ellen Epps is a woman of dedication and commitment to her state and its citizens. I am honored to be able to bring her hard work and dedication to the attention of this body of Congress, and to this nation. Thank you, Mary Ellen, for all of your hard work, and I wish you all the best in the future.

HONORING THE GENESEE VALLEY ROTARY CLUB

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. KILDEE. Mr. Speaker, I ask the House of Representatives to join me in congratulating the Genesee Valley Rotary Club on celebrating it's 25th anniversary. The Rotary Club will celebrate its anniversary with a special event on May 14.

The Genesee Valley Rotary Club begin as a provisional club in March of 1977, through the support of Jack Hamady, Ray Kelley and Jerry Wittemore. The Genesee Valley Rotary Club grew so rapidly through community support that by May of 1977 the Rotary was given a charter at the district conference that was held in Port Huron. Over the past 25 years the Rotary Club has conducted one major fundraiser a year giving the proceeds to local or international projects that they believe give back to the community. In addition to this the members conduct various community projects throughout the year. Many of them work for the Salvation Army Christmas bell ringing campaign, others answer phones for telethons, and some work during the Big Brothers/Big Sisters bowling challenge.

Mr. Speaker, I ask the House of Representatives to join me in congratulating the Genesee Valley Rotary Club on celebrating it's 25th anniversary. As a Rotary Club scholarship beneficiary I can attest to the unwavering support they give to the community. I applaud their involvement in the Flint area for the past quarter century.

HONORING THE DEDICATION OF THE ALVIRDA HYMAN LEARNING CENTER IN FREMONT, CA

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. STARK. Mr. Speaker, I rise today to announce the grand opening of the Alvirda Hyman Leaming Center, an innovative new alternative learning facility donated by the Fremont Bank to the Fremont Unified School District in honor of Alvirda Hyman's dedication to continuing education.

Alvirda Hyman is a living testimony to the power of lifelong learning and a role model for her commitment to community service. Throughout her adult life, Mrs. Hyman has been a strong supporter of education for students from preschool through adulthood.

It was her support of her husband, Morris, in continuing his education that sewed the seeds of a career change that led to the founding of Fremont Bank in the early 1960s. Now one of the most successful family-owned businesses in the Bay Area, the Fremont Bank's 21 branches are a tribute to continuing education's ability to transform individual lives and improve communities.

Likewise, the Alvirda Hyman Learning Center, which represents one of the most generous corporate contributions in the history of the Fremont Unified School District, is the ideal tribute to Mrs. Hyman's dedication to education. When Fremont Bank consolidated its support facilities, a 12,000 square-foot modular building became vacated and available for donation. The bank donated the building to the school district for use as instructional space.

The new facility allows the Fremont Unified School District to provide tremendously improved space for several alternative education programs. It provides the Circle of Independent Learning Charter School a permanent home; it provides the Adult School Parent Education Program space designed specifically for its unique needs; and it gives the State Pre-School Program a permanent classroom within the district.

As part of a full community effort, the building was moved in 20 sections to the Mowry Adult School site. Re-construction began in August 2001, and has resulted in a beautiful new facility designed especially to serve the individual needs of the alternative learning programs housed there. The commercial structure was re-designed into an attractive and functional learning environment, complete with a playground and activity areas. The 20 separate modular units were recombined into a structurally coherent and aesthetically stunning building.

I am honored to congratulate Alvirda Hyman for her remarkable belief in the power and importance of lifelong learning. Her dedication to improving education has assured every citizen of Fremont the opportunity for a bright future, filled with ongoing education.

H.R. 4231—SMALL BUSINESS ADVOCACY IMPROVEMENT ACT

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. UDALL of New Mexico. Mr. Speaker, I am pleased to rise today in strong support of H.R. 4231, the Small Business Advocacy Improvement Act. Created in 1976 by Congress, the Small Business Administration's (SBA) Office of Advocacy's primary mission is to protect, strengthen and effectively represent small businesses within the Federal government's legislative and rule-making process. The Office of Advocacy works to reduce the burdens that Federal government policies impose on small business and encourage policies that support the development and growth of American small business.

However, the Office of Advocacy is forced each year to negotiate with OMB and the Administration on the provisions in its budget. In order for the Office of Advocacy to strengthen its voice and credibility for small businesses, it must be independent of any undue interference or influence that might hinder its ability to speak out objectively on behalf of small businesses.

To that end, H.R. 4231 requires that Advocacy's budget request be included in the President's budget submission to Congress each fiscal year without being changed. This will give the Office of Advocacy greatly increased fiscal independence from the Administration and will allow Advocacy to stay true to its core mission of providing support to small businesses and entrepreneurs.

In addition, continuation of service for the SBA Chief Counsel for Advocacy, unlimited authorization for the Office of Advocacy, and replacing the ''minority enterprises'' terminology to include women owned businesses and veteran businesses in the primary functions of the Office of Advocacy are also important provisions included in H.R. 4231.

I urge my colleagues to join me in support of this important legislation and help improve the support provided to our nation's small businesses by the SBA's Office of Advocacy. Vote ''yes'' on H.R. 4231.

THE SOCIAL SECURITY WIDOW'S BENEFIT GUARANTEE ACT OF 2002

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. MATSUI. Mr. Speaker, today I am offering a bill to make long overdue improvements in Social Security benefits. My bill would provide higher benefits for an estimated 5 million widows and other elderly beneficiaries. At the same time, it maintains fiscal responsibility by assuring that the bill does not affect the financial solvency of the Social Security system.

Elderly non-married women, including widows, rely heavily on Social Security benefits. Three out of four depend on it for at least half of their total income. And four in 10 depend on it for 90 percent or more of their income.

At the same time, widows are among the poorest of all Social Security beneficiaries. Over the last 30 years, poverty rates among the elderly have fallen from 29 percent in 1966 to 8.5 percent in 2000. But among widows, the poverty rate remains high—at 15 percent in 2000. The incomes of elderly women are very modest. The median income for non-married elderly women, including widows, was about $12,000 a year in 2000.

The time to address this situation is now. Republicans want to spend trillions of dollars to privatize Social Security, and they want to wait until after the election to do it. Democrats are proposing to invest less than one-twentieth of that amount to improve benefits for the neediest beneficiaries, and we want to do it now, without delay. Democrats want to improve Social Security and help its neediest beneficiaries, rather than destroy it by risky privatization schemes that require trillions of new dollars and deep benefit cuts.

BILL SUMMARY

The bill would create a new ''widow's guarantee'' for Social Security beneficiaries. Widows and widowers would be guaranteed a

benefit equal to 75% of the combined benefits the couple had been receiving prior to the death of one spouse.

The widow's guarantee would provide higher benefits than widows receive under current law—which only provides benefits equal to what the husband had been receiving prior to his death. Under current law, widows are effectively limited to only 50–67 percent of what the couple had been receiving. Yet under federal guidelines, a one-person household is estimated to need 80 percent of the income of a two-person household. This bill would reduce the drop in Social Security income that would otherwise occur upon the death of a spouse.

For example, the average retired worker on the rolls today receives a benefit of $874 per month. If that worker has a spouse who is entitled to Social Security spousal benefits, their combined benefit is $1311. Under current law, the widow would receive $874 after her husband dies. Under the 75% widow's guarantee, the widow would get a benefit of $983 a month—an increase of $109 a month, or 12 percent more than she would receive under current law.

To assure that the increased benefits are concentrated on those with the greatest need, the increase would be subject to a dollar cap of $1000 a month, which would be indexed in 2003 and later years.

The benefit increase is estimated to help 5 million widows and widowers, one million of whom are currently living in poverty.

This bill also includes benefit improvements to help certain groups of disabled widows, elderly widows whose husbands died shortly after retirement, and divorced spouses. Over 120,000 beneficiaries would see increases as a result of this section of the bill.

Finally, this is fully financed through general revenue transfers to Social Security. This makes the Trust Funds whole for the cost of these vital benefit improvements.

This legislation promotes the needs of our poorest and most vulnerable elderly. It improves and strengthens Social Security's guaranteed, dependable monthly income. It assures that widows and widowers will have at least a minimally decent standard of living in old-age. I am pleased to introduce the Social Security Widow's Benefit Guarantee Act.

PAYING TRIBUTE TO FRANA ARAUJO MACE

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Frana Araujo Mace and thank her for her extraordinary contributions in the Colorado General Assembly. Her dedication to both her job and the people of Colorado deserves the recognition of this body of Congress, and, indeed, this nation. She will be remembered as a State Representative with the utmost dedication to her constituents, and as she moves on in her career, I would like to thank her for all of her hard work in the Colorado Legislature.

Frana was appointed to the Colorado State House of Representatives in 1995 to fill a vacancy, and was subsequently elected in 1996, 1998 and 2000. During her tenure in the State House, she served as the House Minority Whip and was a member of the House Services, Local Government, Transportation, and Energy committees. She was the mayoral appointee to the Denver Board of Adjustment and Zoning Appeals from 1976 through 1986, was the Governor's appointee to the Commission on Aging, and served as the party finance chair from District 4A.

Not only has Frana served the community effectively as a member of the Colorado General Assembly, she has also done her part as an active humanitarian. She served as the President and Chairman of the Northside Community Center, and on the Servicios de la Raza cooperative endeavor. For her hard work and dedication, Frana was named the Hispanic Woman of the Year/Political Division in 1995. In addition to her community endeavors, Frana is married to Gilbert Mace, and is the proud mother of five children.

Mr. Speaker, I am certain that Frana's colleagues and constituents will sorely miss the leadership and compassion that she consistently gave to the State of Colorado, and I thank her for all that she has done for the state. I am honored to bring her accomplishments to the attention of this body of Congress, and wish her all the best in the future. Her hard work and dedication truly embodies the spirit of the State, and it is with a great deal of pride that I thank her for her many years of public service.

ON THE DEATH OF MSGR. GEORGE HIGGINS

HON. JAMES L. OBERSTAR

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. OBERSTAR. Mr. Speaker, I rise in tribute to a man who devoted his life to social justice.

Today we say goodbye to Monsignor George G. Higgins, who headed the Social Action Department of the U.S. Conference of Catholic Bishops for 35 years. Msgr. Higgins died May 1, and was buried today in his home town of LaGrange, Illinois. He was 86 years old.

Msgr. Higgins fought for the rights of workers, whether they were auto workers in Detroit, farm workers in California or steelworkers on the Iron Range of Minnesota. He wrote nearly 3,000 columns on social issues for Catholic newspapers across the country from 1945 until September 2001, when he could no longer continue because of failing eyesight.

Msgr. Higgins held a doctorate in economics and political science from Catholic University of America. He was awarded the University of Notre Dame's highest honor, the Laetare Medal, and the Presidential Medal of Freedom. Last year he was honored as one of the great pioneers in promoting dialogue between Catholics and Jews by the International Catholic-Jewish Liaison Committee.

Msgr. Higgins made a lasting imprint on the Church's approach to social policy in America: feeding the hungry, housing the homeless, clothing the poor.

As columnist E.J. Dionne wrote in today's Washington Post, ''It is one of the highest callings of spiritual leaders to force those who live happy and comfortable lives to consider their obligations to those heavily burdened by injustice and deprivation.'' Msgr. Higgins answered that calling.

Mr. Speaker, at a time when a dark cloud of scandal hangs over the Catholic Church, it is important to note that the priesthood is full of good men doing God's work. Msgr. Higgins was such a priest. All of us who believe in the fair treatment of working men and women, compassion for the poorest among us, and brotherhood with those of other faiths, will miss him deeply.

Mr. Speaker, I ask to submit the full text of E.J. Dionne's column for the RECORD.

[Washingtonpost.com, May 7, 2002]

THE GREAT MONSIGNOR

(By E. J. Dionne, Jr.)

There is no such thing as a timely death. But just when you thought all the stories on American priests were destined to be about evil committed and covered up, one of the truly great priests was called to his eternal reward.

Monsignor George G. Higgins was the sort of Catholic clergyman regularly cast as a hero in movies of the 1940s and '50s. He was an uncompromising pro-labor priest who walked picket lines, fought anti-Semitism, supported civil rights and wrote and wrote and wrote in the hope that some of his arguments about social justice might penetrate somewhere.

He got attached to causes before they became fashionable, and stuck with them after the fashionable people moved on. Cesar Chavez once said that no one had done more for American farm workers than Monsignor Higgins. In the 1980s, he traveled regularly to Poland in support of Solidarity's struggle against communism and became an important link between American union leaders and their Polish brethren.

As it happens, even the day of Monsignor Higgins's death, at the age of 86, was appropriate. He passed from this world on May 1, the day that many countries set aside to honor labor and that the Catholic Church designates as the Feast of St. Joseph the Worker.

If Higgins had been there when that famous carpenter was looking for a place to spend the night with his pregnant wife, the monsignor would certainly have taken the family in. He would also have handed Joseph a union card, told him he deserved better pay and benefits, and insisted that no working person should ever have to beg for shelter.

Yes, Higgins sounds so old-fashioned—and in every good sense he was—that you might wonder about his relevance to our moment. Let us count the ways.

One of the most astonishing and disturbing aspects of the Catholic Church's current scandal is the profound disjunction—that's a charitable word—between what the church preaches about sexuality and compassion toward the young and how its leaders reacted to the flagrant violation of these norms by priests.

Higgins, who spent decades as the Catholic Church's point man on labor and social justice issues, hated the idea of preachers' exhorting people to do one thing and then doing the opposite. And so he made himself into a true pain for any administrator of any Catholic institution who resisted the demands of workers for fair pay and union representation.

''These men and women mop the floors of Catholic schools, work in Catholic hospital kitchens and perform other sometimes menial tasks in various institutions,'' he once wrote. ''They have not volunteered to serve the church for less than proportionate compensation.''

''The church has a long history of speaking out on justice and peace issues,'' he said. ''Yet only in more recent times has the church made it clear that these teachings apply as well to the workings of its own institutions.''

Where some religious leaders complain that they get caught up in scandal because they are unfairly held to higher standards, Higgins believed that higher standards were exactly the calling of those who claim the authority to tell others what to do.

It bothered Higgins to the end of his life that the cause of trade unionism had become so unfashionable, especially among well-educated and well-paid elites. For 56 years, he wrote a column for the Catholic press, and he returned to union issues so often that he once felt obligated to headline one of his offerings: ''Why There's So Much Ado About Labor in My Column.''

His answer was simple: ''I am convinced that we are not likely to have a fully free or democratic society over the long haul without a strong and effective labor movement.''

To those who saw collective bargaining as outdated in a new economy involving choice, mobility and entrepreneurship, Higgins would thunder back about the rights of those for whom such a glittering world was still, at best, a distant possibility: hospital workers, farm workers, fast-food workers and others who need higher wages to help their children reach their dreams. He could not abide well-paid intellectuals who regularly derided unions as dinosaurs, and he told them so, over and over.

It is one of the highest callings of spiritual leaders to force those who live happy and comfortable lives to consider their obligations to those heavily burdened by injustice and deprivation. It is a great loss when such prophetic voices are stilled by scandal and the cynicism it breeds. Fortunately, that never happened to Higgins. He never had to shut up about injustice and, God bless him, he never did.

PAYING TRIBUTE TO BILL WEBSTER

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute to Bill Webster and thank him for his contributions in the Colorado General Assembly. His hard work and dedication is greatly appreciated, and I am honored to pay tribute to him today in front of this body of Congress. He will long be remembered as an effective State Representative, and will continue to be known as a leader in the community. As he moves on in his career, let it be known that I, along with people of Colorado, am grateful for all that he has done for the Colorado General Assembly.

During his two terms in the Colorado State House of Representatives, Bill has served on a number of committees, including his two current committees, Agriculture, Livestock & Natural Resources, where he serves as vice-chairman, and Local Government. In addition, Bill served for eight years as the Weld County Commissioner, and worked at the Webster Land & Cattle Company.

Not only has Bill served the community effectively as a member of the Colorado General Assembly, he has also done his part as an active humanitarian. He is the past president of the Greeley Chamber of Commerce, Greeley Rotary Club and the Boys and Girls Club of Greeley. He is also a past director of Safeway Stores, Inc., Colorado Water Congress and the National Cattlemen's Association, and serves on the Colorado Agriculture Commission and the Greeley Planning Commission. Perhaps most importantly, Bill is married to his wife Sylvia, and they have three children.

Mr. Speaker, it is clear that Bill Webster has served his state well by providing significant service during his distinguished tenure in the Colorado General Assembly. I am honored to be able to bring his hard work and dedication to the attention of this body of Congress. It is my privilege to be able to express to him, and to this country, my gratitude for all that he has done for our wonderful state, and I wish him all the best in his future endeavors.

NOTIFYING TAXPAYERS REGARDING THEIR POSSIBLE ELIGIBILITY FOR EARNED INCOME TAX CREDIT

HON. PATSY T. MINK

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mrs. MINK of Hawaii. Mr. Speaker, I introduced H.R. 4632 to help more low income workers seek tax rebates under the Earned Income Tax Credit program.

Under the Earned Income Tax Credit (EITC) provisions, a person at least 25 years old, earning $1 up to $10,709 may qualify for a refundable tax credit of $1 to $364 depending on income earned.

A single parent, at least 25 years old, with one child, earning $1 to $28,280 may receive a refundable tax credit of $3 to $2,428 depending on income earned.

A single parent, at least 25 years old, with two children, earning $1 to $32,120 may receive a refundable tax credit of $2 to $4,008 depending on income earned.

In the year 2000, about 19 million low income families received Earned Income Tax Credit (EITC) refunds. The total refunds paid out in 2000 was $30 billion.

28% of the families who received EITC had incomes below $10,000. The refund for a single parent with two children earning $10,000 was $4,008.

In 1999 over 25% of the low income taxpayers who were eligible did not file for EITC.

With a million single parents being forced off welfare to work, it is of great concern that many, if not most, are not aware of the refund that they could apply for. The vast majority of the welfare mothers who are forced to work earn less than $8,000 per year. The Administration and other defenders of the welfare to work program argue that in addition to the meager earnings, these poor families receive $4,000 under EITC. The tragedy is that most don't.

H.R. 4632 is offered to make sure that information is given to these poor families informing them that this refund is due them.

If welfare to work is justified on the basis that low wages can be buffered by $4,000 in EITC refunds, then we need to make sure that these monies are received.

PAYING TRIBUTE TO WILLIAM G. SWENSON

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to pay tribute today to a man who has embodied the spirit of the State of Colorado through his life-long dedication to serving his state. A member of the Colorado General Assembly, the hard work and dedication of William Swenson, known as Bill, is a testament to the Western pride and character of my state and its citizens. Bill is now leaving the Colorado State House of Representatives after selflessly serving since 1994, and I can think of no better way to celebrate Bill's retirement than to honor his many achievements before this body of Congress and this nation.

A resident of Longmont, Colorado, Bill has served in various local government positions before his election to the House, notably as a City Councilman and Mayor of Longmont. Elected to the Colorado State House of Representatives in 1994, he has served several committees, recently as a member of the Local Government committee and Chairman of the Transportation and Energy committee. During this time, he has been a valuable proponent for local government, tax relief, and water and natural resources conservation.

Bill is regarded as a loving husband and devoted father of four as well as a key member of the community. He is currently a member of Rotary International, the First Lutheran Churchmen and serves as the church treasurer. His work ethic is reflected in his membership in the IBM Quarter Century Club, an honorarium for his thirty-four years of service to the company.

Mr. Speaker, Bill has been a valued member of our Colorado community, both as an elected official and as a citizen. While I am sure he will be missed in the Colorado State House of Representatives, I know that he will undoubtedly succeed in his future endeavors, and will continue to serve his fellow Coloradans. Thank you Bill, for all of your hard work and efforts.

A WELL DESERVED TRIBUTE TO HEITOR SOUSA

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. FRANK. Mr. Speaker, last month, in Fall River, Massachusetts, a very impressive tribute was paid to Heitor Sousa, one of the leaders in the Portuguese American community. Heitor Sousa came to the U.S. in 1981 from the Azores, and he is an example of the way in which immigration enriches our country economically, culturally, and socially. I have been privileged to benefit from Heitor Sousa's friendship, advice, and wisdom for 20 years, during the time I have represented parts of Southeastern Massachusetts in this body. I want to add my own personal gratitude to him for the extraordinary service he has performed both for the people of Southeastern Massachusetts and Rhode Island and for the residents of Portugal in general and the Azores in

particular. The tribute paid to him was extremely well deserved.

[From Comunidade—Community, April 10, 2002]

MUSIC

FALL RIVER.—Flanked by good friends and hundreds of admirers, Heitor Sousa, the founder of the Great Feast of the Holy ghost of New England, was honored yesterday in a ceremony that was described as ''a happy and loving tribute.''

Guests traveled from as far away as Toronto and the Azores to attend the ceremony hosted by the Our Lady of Light Band Band.

Sousa, 63, immigrated to the United States in 1981 to establish the Banco Comercial dos Acores branch on Pleasant Street and within five years founded the annual Portuguese Battle of the Bands and the Great Feast. He has also been a strong advocate for the continuation of the bands and an increase in performances.

''Heitor Sousa is a 'grand homem' (a great man),'' said Fall River Diocese Bishop Sean P. O'Malley as he opened the ceremony.

Rhode Island General Treasurer Paul Tavares told the large jam-packed crowed that he met Sousa in 1984.

''We formed a great friendship,'' Tavares said. ''I have a great deal of respect for this man, who is dedicated to his community, his homeland, this new land and his Azorean culture.''

Fall River State Representative Robert Correia told the crowd that Sousa's life tale has been entered into the state's official archives, ''where it will be forever.'' He added that Sousa helped him understand his culture better and even took him to the homeland to foster a better connection.

Turning to the crowd, Correia said that Sousa is very much like the Braga and Mount Hope bridges that many of the Rhode Islanders took to attend the hall.

''Heitor is a bridge from the Azores to Fall River,'' said Correia. ''He traveled the bumpy road from the Azores to here and took me and a few of us on the bumpy road from here to the Azores. He is not a man of words but a man of action.''

Rev. Luis Cardosa, formerly of Espirito Santo Church and now of Sao Miguel Church of Fall River, said it will never be known how many people Sousa has helped in his life.

''He has done so much for the community, but all he did was driven by his faith,'' he said.

Mayor Edward M. Lambert, Jr. told the crowd that he was befriended by Sousa many years ago and despite a language barrier the two have worked well together.

''That's because he has always spoken the language of the heart,'' said Lambert. He added that if one could equate one's spirit with song, then ''the life of Heitor Sousa has been a beautiful concert.''

He praised the work Sousa has done in founding the feast, adding ''it is a great source of pride for everyone in Fall River. No other event brings so many people—so many eyes from all over the world to this great city. For this, you will always be remembered. Heitor Sousa you are a treasure in this community, which we value tremendously.''

The master of ceremonies for the event, Manuel F. Estrela, broke up the praise with his own humor. Saying that he could not stand by and see only good things said about his old friend, he joked that it was time to talk about Sousa's shortcomings.

''He is a great '''Sportinguista,''' he said to the roar of the crowd. A sportinguista is a fan of the Portugal's Sporting Soccer team.

Sousa was also praised by two of the Azores top journalists. Jorge Nascimento Cabral, a retired publisher of Correio dos Acores, and Osvaldo Cabral of RTP-Azores.

Both men said they could not have missed the event.

''His roots are deeply planted on both sides of the Atlantic,'' said Cabral of RTP. ''I see in him the greatest recognition of faith, of fatherhood, of grand fatherhood, husbandry and community service.''

Cabral said that back in his village of Rabo de Peixe the youth all know of Sousa's work.

''He is a great example for us who are older and for the younger generation,'' he said.

Jorge Cabral, the featured speaker, talked about how Sousa rose from his small village to be a mountain of a man on two sides of the ocean.

''It is not easy for someone to come from an island, from Rabo de Peixe, and leave to go to a country where they speak a different language and lead a cultural revival,'' he said. ''But he has given a new meaning to the word 'saudade.' He has always been in the service of the people. And he has carried with him the greatest symbol of the Azores—people's faith. This is a very dynamic man who has served his community, fostered many organizations, but never profited monetarily just through the peace of his conscious.''

On several occasions Sousa became choked up. Tears swelled in his eyes during a surprise performance by the Our lady of Light Band, which played a song Sousa once led while he was the director of the Banda Lira do Norte in Rabo de Peixe—''marcha de Cigano.''

After the speeches, Sousa was presented with a portrait by the Banda da Luz, which they said would hang in their club forever. He was also given a check for $1,849, the profits from the banquet, but in typical Sousa fashion he donated it back, saying that he wanted it to be designated for a fund to be given to the top student of each of the 15 Portuguese bands of New England. Minutes later Carlos Andrade of Sharon pledged to give $5,000 to bolster the very fund.

In a touching closing ceremony, Sousa was presented plaques by all of the bands that he has championed over the years. He also thanked those gathered, including Estrela, the Cabrals, all of the bands and their leadership, as well as Luis Silva and Antonio Carvalho of the Light Band.

Sousa also took the time to thank his wife, ''who has been suffering me for 40 years,'' he said.

He ended his speech with a challenge to the leaders of the community and in the Azores, saying that they must do more to support the bands. He added that the Azores should host an annual ban performance, which incorporates bands from the United States and the islands.

''Our bands are often forgotten by our leaders,'' he added.

PAYING TRIBUTE TO GLENN E. SCOTT

HON. SCOTT McINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 7, 2002

Mr. McINNIS. Mr. Speaker, I would like to take this opportunity to honor the achievements of a member of the Colorado General Assembly, and thank him for all that he has done for the state. After two terms in the Colorado State House of Representatives, Glenn E. Scott is leaving the House in order to pursue other opportunities, and I can think of no better way to thank Glenn for his many years of service, than to bring his many accomplishments to light in front of this body of Congress.

A resident of Westminster, Colorado, Glenn received his Bachelors and Masters Degree in economics from the University of Colorado. An Investment Portfolio Manager for LBC Investment Advisors, he was first appointed to the House in 1999, then elected in 2000, and has since served on several committees working to improve the lives of those in Clear Creek, Gilpin, Jefferson, and Summit counties. He has served diligently on the Appropriations and Finance Committees, and as chair of the Local Government Committee. In addition he has served in several vital community positions in Colorado, including numerous advisory boards to benefit Aurora and Boulder counties, and is a former member of the Westminster City Council.

Mr. Speaker, I am positive that Glenn's colleagues and constituents will sorely miss the leadership and compassion that he consistently gave to the State of Colorado, and I thank him for all that he has done for the state. I am honored to bring his accomplishments to the attention of this body of Congress, and wish him all the best in the future. His hard work and dedication truly embodies the spirit of the State, and it is with a great deal of pride that I thank him for his many years of public service.

Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S3903–S3977

Measures Introduced: Nine bills and six resolutions were introduced, as follows: S. 2462–2470, S.J. Res. 36, S. Res. 261–262, and S. Con. Res. 106–108. **Page S3953**

Measures Passed:

Enrollment Correction: Senate agreed to S. Con. Res. 106, to correct the enrollment of H.R. 3525. **Page S3904**

Commending Public Servants: Senate agreed to S. Res. 261, expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week. **Pages S3973–74**

Commending University of Hawaii Warrior Men's Volleyball Team: Senate agreed to S. Res. 262, commending the University of Hawaii Warrior Men's Volleyball Team for winning the 2002 National Collegiate Athletic Association Men's Volleyball National Championship. **Page S3974**

Legal Assistance for Dating Violence: Senate passed S. 410, to amend the Violence Against Women Act of 2000 by expanding the legal assistance for victims of violence grant program to include legal assistance for victims of dating violence. **Pages S3974–75**

Public Safety Officer Death Benefits for Chaplains: Senate passed S. 2431, to amend the Omnibus Crime Control and Safe Streets Act of 1968 to ensure that chaplains killed in the line of duty receive public safety officer death benefits, after agreeing to a committee amendment. **Pages S3975–76**

Criminal Justice Coordinating Council Restructuring Act: Senate passed H.R. 2305, to authorize certain Federal officials with responsibility for the administration of the criminal justice system of the District of Columbia to serve on and participate in the activities of the District of Columbia Criminal Justice Coordinating Council, clearing the measure for the President. **Page S3976**

State Justice Institute Report: Senate passed H.R. 2048, to require a report on the operations of the State Justice Institute, clearing the measure for the President. **Page S3976**

National Tourism Week: Senate agreed to S. Con. Res. 108, to designate May 4–12, 2002, as "National Tourism Week". **Page S3977**

Farm Security Act Conference Report: Senate began consideration of the conference report on H.R. 2646, to provide for the continuation of agricultural programs through fiscal year 2011. **Pages S3903–04, S3904–37**

By prior unanimous-consent, Senate will continue consideration of the conference report on Wednesday, May 8, 2002, with a vote to occur on or in relation to the conference report.

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaties:

Extradition Treaty with Lithuania (Treaty Doc. No. 107–4); and

Stockholm Convention on Organic Pollutants (Treaty Doc. No. 107–5).

The treaties were transmitted to the Senate on Monday, May 6, 2002, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed. **Page S3904**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, the Periodic Report on the National Emergency with Respect to Sudan; to the Committee on Banking, Housing, and Urban Affairs. (PM–82) **Page S3952**

Nominations Confirmed: Senate confirmed the following nominations:

William P. Kruziki, of Wisconsin, to be United States Marshal for the Eastern District of Wisconsin for the term of four years.

Walter Robert Bradley, of Kansas, to be United States Marshal for the District of Kansas for the term of four years.

Steven M. Biskupic, of Wisconsin, to be United States Attorney for the Eastern District of Wisconsin for the term of four years.

Jan Paul Miller, of Illinois, to be United States Attorney for the Central District of Illinois for the term of four years.

James E. McMahon, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years.

Stephen Robert Monier, of New Hampshire, to be United States Marshal for the District of New Hampshire for the term of four years.

Gary Edward Shovlin, of Pennsylvania, to be United States Marshal for the Eastern District of Pennsylvania for the term of four years.

Randy Paul Ely, of Texas, to be United States Marshal for the Northern District of Texas for the term of four years. **Pages S3973, S3977**

Messages From the House: **Page S3952**

Executive Communications: **Pages S3952–53**

Additional Cosponsors: **Pages S3953–55**

Statements on Introduced Bills/Resolutions: **Pages S3955–66**

Additional Statements: **Pages S3948–52**

Amendments Submitted: **Page S3966**

Notices of Hearings/Meetings: **Page S3966**

Authority for Committees to Meet: **Pages S3966–67**

Privilege of the Floor: **Page S3967**

Adjournment: Senate met at 9:30 a.m., and adjourned at 5:36 p.m., until 10 a.m., on Wednesday, May 8, 2002. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S3977).

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS—HOMELAND SECURITY/SUPPLEMENTAL

Committee on Appropriations: Committee concluded hearings to examine homeland security funding issues and proposed legislation making supplemental appropriations for the fiscal year ending September 30, 2002, after receiving testimony from Senator Sam Nunn, on behalf of the Nuclear Threat Initiative; and Donald H. Rumsfeld, Secretary of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Airland met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2003 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Personnel met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2003 for military activities of the Department of Defense.

AUTHORIZATION—DEFENSE

Committee on Armed Services: Subcommittee on Readiness and Management Support met in closed session and approved for full committee consideration, those provisions which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2003 for military activities of the Department of Defense.

WILDLAND FIRE PREPAREDNESS

Committee on Energy and Natural Resources: Committee concluded hearings to examine this year's wildlife fire season, as well as to assess the Federal land management agencies' state of readiness and preparedness for the wildland fire season, after receiving testimony from Timothy Hartzell, Director of the Office of Wildland Fire Coordination, Department of the Interior; and Joel Holtrup, Deputy Chief for State and Private Forestry, Forest Service, Department of Agriculture.

NOMINATION

Committee on Environment and Public Works: Committee concluded hearings on the nomination of John Peter Suarez, of New Jersey, to be Assistant Administrator, Office of Enforcement and Compliance Assurance, Environmental Protection Agency, after the nominee, who was introduced by Senator Corzine, testified and answered questions in his own behalf.

ENVIRONMENTAL TREATIES

Committee on Foreign Relations: Committee concluded hearings on the Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the ''Montreal Protocol''), adopted at Beijing on December 3, 1999, by the Eleventh Meeting of the Parties to the Montreal Protocol (the ''Beijing Amendment'') (Treaty Doc. 106–32), Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer (the ''Montreal Protocol''), adopted at Montreal on September 15–17, 1997, by the Ninth Meeting to the Parties to the Montreal Protocol (Treaty Doc. 106–10), Protocol Concerning

Specially Protected Areas and Wildlife to the Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, done at Kingston on January 18, 1990, (Treaty Doc. 103–05), Agreement Establishing the South Pacific Regional Environment Programme, done at Apia on June 16, 1993 (Treaty Doc. 105–32), Treaty Between the Government of the United States of America and the Government of Niue on the Delimitation of a Maritime Boundary, signed in Wellington, May 13, 1997 (Treaty Doc. 105–53), and a Protocol to Amend the 1949 Convention on the Establishment of an Inter-American Tropical Tuna Commission, done at Guayaquil, June 11, 1999, and signed by the United States, subject to ratification, in Guayaquil, Ecuador, on the same date (Treaty Doc. 107–02), after receiving testimony from John F. Turner, Assistant Secretary of State for Oceans and Environmental and Scientific Affairs; Thomas V. Grasso, World Wildlife Fund Marine Conservation Program, Washington, D.C.; and David Read Barker, Monitor International, Annapolis, Maryland.

ENRON COLLAPSE

Committee on Governmental Affairs: Permanent Subcommittee on Investigations held hearings to examine the role of the Board of Directors in the collapse of the Enron Corporation, focusing on the Board's oversight efforts, interactions with Enron management and Arthur Andersen, and adequate response to warning signs of Enron's impending collapse, as well as the actions of the Board's Finance, Audit, and Compensation Committees, receiving testimony from Michael H. Sutton, Williamsburg, Virginia, former Chief Accountant, Securities and Exchange Commission; John H. Duncan, Houston, Texas, Herbert S. Winokur, Jr., Greenwich, Connecticut, Robert K. Jaedicke, Bozeman, Montana, Charles A. LeMaistre, San Antonio, Texas, and Norman P. Blake, Rosemont, Illinois, all on behalf on the Enron Corporation; Charles M. Elson, University of Delaware Center for Corporate Governance, Newark; and Robert H. Campbell, Coronado, California.

Hearings recessed subject to call.

NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM

Committee on Health, Education, Labor, and Pensions: Subcommittee on Aging concluded hearings to examine the implementation of the Administration on Aging's National Family Caregiver Support Program, after receiving testimony from Josefina G. Carbonell, Assistant Secretary of Health and Human Services for Aging; Sue F. Ward, Maryland Department of Aging, Baltimore; John N. Skirven, Senior Services of Southeastern Virginia, Norfolk; and Barbara McSweeney, Washington, D.C.

House of Representatives

Chamber Action

Measures Introduced: 14 public bills, H.R. 4664–4677; and 2 resolutions, H. Con. Res. 397 and H. Res. 413, were introduced. **Pages H2163–64**

Reports Filed: Reports were filed today as follows:

H.J. Res. 84, disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002, amended, adverse (H. Rept. 107–437);

S. 378, to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Job Corps Center" (H. Rept. 107–438);

H.R. 3694, to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century, amended (H. Rept. 107–439);

H.R. 2818, to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971 (H. Rept. 107–440);

H.R. 3954, to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, and for other purposes, amended (H. Rept. 107–441);

H.R. 4044, to authorize the Secretary of the Interior to provide assistance to the State of Maryland for implementation of a program to eradicate nutria and restore marshland damaged my nutria, amended (H. Rept. 107–442);

H. Res. 103, referring H.R. 1258, entitled "A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad", to the chief judge of the United States Court of Federal Claims for a report thereon (Private Bill, H. Rept. 107–444);

H.R. 486, for the relief of Barbara Makuch (Private Bill, H. Rept. 107–445);

H.R. 487, for the relief of Eugene Makuch (Private Bill, H. Rept. 107–446); and

H. Res. 414, providing for consideration of H.J. Res. 84, disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002.

Page H2163

Guest Chaplain: The prayer was offered by the guest Chaplain, Rev. Emmett Gavin, Prior Whitefriars Hall of Washington, D.C. **Page H2113**

Private Calendar: On the call of the Private Calendar, the House passed over without prejudice H.R. 392, for the relief of Nancy B. Wilson. **Page H2113**

Committee Resignations: Read a letter from Representative Hall of Ohio wherein he resigned from the Committee on Rules, and read letters from Representative McGovern wherein he resigned from the Committees on Resources and Transportation and Infrastructure. **Pages H2113–14**

Committee Election—Committee on Rules: The House agreed to H. Res. 413, electing Representative McGovern to the Committee on Rules to rank immediately after Representative Slaughter.

Page H2114

Suspensions: The House agreed to suspend the rules and pass the following measures:

Clarence B. Craft Post Office, Fayetteville, Arkansas: H.R. 4486, to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the ''Clarence B. Craft Post Office Building''

Pages H2115–16

Richard S. Arnold United States Courthouse, Little Rock, Arkansas: H.R. 4028, to designate the United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, as the ''Richard S. Arnold United States Courthouse;''

Pages H2116–17

Alfonse M. D'Amato United States Courthouse, Central Islip, New York: H.R. 4006, to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the ''Alfonse M. D'Amato United States Courthouse;'' **Pages H2117–20**

Paul Simon Chicago Job Corps Center, Chicago, Illinois: S. 378, to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the ''Paul Simon Chicago Job Corps Center''—clearing the measure for the President;

Pages H2120–22

Harvey W. Wiley Federal Building, College Park, Maryland: H.R. 2911, to designate the Federal building located at 5100 Paint Branch Parkway in College Park, Maryland, as the ''Harvey W. Wiley Federal Building'' (agreed to by a yea-and-nay vote of 402 yeas with none voting ''nay,'' Roll No. 127); **Pages H2122–23, H2142–43**

North American Wetlands Conservation Reauthorization: H.R. 3908, amended, to reauthorize the North American Wetlands Conservation Act;

Pages H2123–24

Conveyance of Land Within the Sand Mountain Wilderness Idaho: H.R. 2818, to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971; **Page H2125**

Caribbean National Forest Wild and Scenic Rivers Act: H.R. 3954, amended, to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System;

Pages H2125–27

Condolences for the Families of Canadian Soldiers Killed by Friendly Fire: H. Res. 412, expressing regret and sympathy for the families of the 4 Canadian soldiers who lost their lives on April 17, 2002, in a friendly-fire incident in southern Afghanistan; **Pages H2127–29**

Auction Reform Act: H.R. 4560, to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting;

Pages H2129–32

Importance of Health Care Coverage Month: H. Con. Res. 271, expressing the sense of the Congress that public awareness and education about the importance of health care coverage is of the utmost priority and that a National Importance of Health Care Coverage Month should be established to promote these goals (agreed to by a yea-and-nay vote of 402 yeas to 1 nay with 1 voting ''present,'' Roll No. 128); **Pages H2132–37, H2143–44**

Suspension—Proceedings Postponed on Border Security and Visa Entry Reform: The House completed debate on the motion to suspend the rules and agree to the Senate amendments to H.R. 3525, to enhance the border security of the United States. At the completion of debate the yeas and nays were demanded. The Chair then announced that further proceedings on the motion were postponed until Wednesday, May 8. **Pages H2137–42**

Presidential Message—National Emergency Re Sudan: Read a message from the President wherein he transmitted a 6-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3,

1997—referred to the Committee on International Relations and ordered printed (H. Doc. 107–209).

Page H2129

Recess: The House recessed at 1:03 p.m. and reconvened at 2 p.m. Page H2113

Recess: The House recessed at 3:50 p.m. and reconvened at 5 p.m. Page H2129

Recess: The House recessed at 6:18 p.m. and reconvened at 6:30 p.m. Page H2142

Senate Messages: Messages received from the Senate today appear on pages H2109 and H2122.

Referral: S. Con. Res. 106 was held at the desk.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of the House today and appear on pages H2142–43 and H2143–44. There were no quorum calls.

Adjournment: The House met at 2 p.m. and adjourned at 10:15 p.m.

Committee Meetings

LABOR, HHS, AND EDUCATION APPROPRIATIONS

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, and Education continued appropriation hearings. Testimony was heard from public witnesses.

Hearings continue May 9.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on National Parks, Recreation, and Public Lands held a hearing on the following measures: H.R. 3786, Glen Canyon National Recreation Area Boundary Revision Act of 2002; H.R. 3942, John Muir National Historic Site Boundary Adjustment Act; and H.R. 4622, Gateway Communities Cooperation Act of 2002. Testimony was heard from Representative George Miller of California; from the following officials of the Department of the Interior: Richard Ring, Associate Director, Park Operations and Education, National Park Service; and P. Lynn Scarlett, Assistant Secretary, Policy Management and Budget; Gloria Manning, Associate Deputy Chief, National Forest System, Forest Service, USDA; and public witnesses.

DISAPPROVAL RESOLUTION—STEEL SAFEGUARD ACTION

Committee on Rules: Granted, by voice vote, a resolution laying H.J. Res. 84, disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002, on the table. Testimony was heard from Representative Jefferson.

TAX POLICY—MODELING THE ECONOMIC EFFECT OF CHANGES

Committee on Ways and Means: Subcommittee on Oversight held a hearing on Modeling the Economic Effect of Changes in Tax Policy. Testimony was heard from R. Glenn Hubbard, Chairman, Council of Economic Advisers; and Lindy Paull, Chief of Staff, Joint Committee on Taxation.

BUDGET BRIEFING

Permanent Select Committee on Intelligence: Met in executive session to hold a Budget Briefing. The Committee was briefed by departmental witnesses.

COMMITTEE MEETINGS FOR WEDNESDAY, MAY 8, 2002

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on VA, HUD, and Independent Agencies, to hold hearings on proposed budget estimates for fiscal year 2003 for the Federal Emergency Management Agency, 9:30 a.m., SD–138.

Subcommittee on Defense, to hold hearings to examine Defense medical programs, 10 a.m., SD–192.

Subcommittee on Legislative Branch, to hold hearings on proposed budget estimates for fiscal year 2003 for the General Accounting Office, Congressional Budget Office, and Government Printing Office, 10:30 a.m., SD–116.

Committee on Armed Services: Subcommittee on SeaPower, closed business meeting to mark up those provisions, which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2003 for military activities of the Department of Defense, 9 a.m., SR–232A.

Subcommittee on Strategic, closed business meeting to mark up those provisions, which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2003 for military activities of the Department of Defense, 10 a.m., SR–222.

Subcommittee on Emerging Threats and Capabilities, closed business meeting to mark up those provisions, which fall within the jurisdiction of the subcommittee, of proposed legislation authorizing appropriations for fiscal year 2003 for military activities of the Department of Defense, 11:30 a.m., SR–232A.

Full Committee, closed business meeting to mark up proposed legislation authorizing appropriations for fiscal year 2003 for military activities of the Department of Defense, 2:30 p.m., SR–222.

Committee on Banking, Housing, and Urban Affairs: to hold hearings on the nomination of Anthony Lowe, of Washington, to be Federal Insurance Administrator, Federal Emergency Management Agency, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: Subcommittee on Science, Technology, and Space, to hold hearings on proposed legislation authorizing funds for the

National Aeronautics and Space Administration, 9:30 a.m., SR–253.

Committee on Energy and Natural Resources: to hold hearings on the nomination of Guy F. Caruso, of Virginia, to be Administrator of the Energy Information Administration, Department of Energy, 9:30 a.m., SD–366.

Committee on Environment and Public Works: Subcommittee on Superfund, Toxics, Risk, and Waste Management, to hold hearings on S. 1850, to amend the Solid Waste Disposal Act to bring underground storage tanks into compliance with subtitle I of that Act, to promote cleanup of leaking underground storage tanks, to provide sufficient resources for such compliance and cleanup, 1:30 p.m., SD–406.

Committee on Governmental Affairs: to hold hearings on S. 1456, to facilitate the security of the critical infrastructure of the United States, to encourage the secure disclosure and protected exchange of critical infrastructure information, to enhance the analysis, prevention, and detection of attacks on critical infrastructure, to enhance the recovery from such attacks, 9:30 a.m., SD–342.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine certain provisions of the Hatch-Waxman Act, assuring greater access to affordable pharmaceuticals, 2:30 p.m., SD–430.

Committee on Indian Affairs: to hold hearings on S. 343, to establish a demonstration project to authorize the integration and coordination of Federal funding dedicated to the community, business, and economic development of Native American communities, 10 a.m., SR–485.

Select Committee on Intelligence: to hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

Committee on the Judiciary: to hold hearings to examine the reformation of the Federal Bureau of Investigation, Department of Justice, focusing on mission refocusing and reorganization, 2 p.m., SD–106.

House

Committee on Appropriations, to mark up the supplemental appropriations for fiscal year 2002, 10:30 a.m., 2359 Rayburn.

Committee on the Budget, hearing on Medicare and the Federal Budget, 10 a.m., 210 Cannon.

Committee on Education and the Workforce, Subcommittee on Education Reform, hearing on ''State and Local Level Special Education Reforms that Work and Federal Barriers to Innovation,'' 2 p.m., 2175 Rayburn.

Committee on Energy and Commerce, Subcommittee on Health, hearing entitled ''Reducing Medical Errors: A Review of Innovative Strategies to Improve Patient Safety,'' 10 a.m., 2123 Rayburn.

Committee on Financial Services, Subcommittee on Financial Institutions and Consumer Credit, to mark up H.R. 3951, Financial Services Regulatory Relief Act of 2002, 10 a.m., 2128 Rayburn.

Committee on Government Reform, Subcommittee on the District of Columbia, hearing on ''The Metropolitan Washington Airports Authority—The Impact of the September 11th Terrorist Attacks on the Security and Operation of Airports Serving the Nation's Capital,'' 10 a.m., 2154 Rayburn.

Committee on House Administration, oversight hearing on Congressional Mail Delivery in the U.S. House of Representatives, 10 a.m., 1310 Longworth.

Committee on the Judiciary, to mark up the following bills: H.R. 3482, Cyber Security Enhancement Act of 2001; H.R. 2054, to give the consent of Congress to an agreement or compact between Utah and Nevada regarding a change in the boundaries of those State; H.R. 1448; to clarify the tax treatment of bonds and other obligations issued by the Government of American Samoa; H.R. 3180, to consent to certain amendments to the New Hampshire-Vermont Interstate School Compact; H.R. 2621, Consumer Product Protection Act of 2001; H.R. 3215, Combating Illegal Gambling Reform and Modernization Act; H.R. 2068, to revise, codify, and enact without substantive change certain general and permanent laws, related to public buildings, property, and works, as title 40, United States Code, ''Public Buildings, Property, and Works''; and H.R. 1452, Family Reunification Act of 2001, 10 a.m., 2141 Rayburn.

Committee on Resources, hearing on the following bills: H.R. 521, to amend the Organic Act of Guam for the purposes of clarifying the local judicial structure of Guam; and H.R.791, to provide for the equitable settlement of certain Indian land disputes regarding land in Illinois, 10 a.m., 1334 Longworth.

Committee on Rules, to consider H.R. 4546, National Defense Authorization Act for Fiscal Year 2003, 4 p.m., H–313 Capitol.

Committee on Science, hearing on Health Effects of Particulate Air Pollution: What does the Science Say? 10 a.m., 2328 Rayburn.

Committee on Small Business, hearing on National Small Business Week: Small Business Success Stories, 2:30 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Railroads, to mark up the following bills: H.R. 2950, Rail Infrastructure Development and Expansion Act of the 21st Century; and H.R. 4545, Amtrak Reauthorization Act of 2002, 11:30 a.m., 2167 Rayburn.

Permanent Select Committee on Intelligence, executive, hearing on DCI Wrap-up, 3 p.m., H–405 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine cooperation concerning the war on terrorism, focusing on the Organization for Security and Co-operation in Europe, 10 a.m., 334 Cannon Building.

Next Meeting of the SENATE

10 a.m., Wednesday, May 8

Senate Chamber

Program for Wednesday: Senate will continue consideration of the conference report on H.R. 2646, Farm Security Act, with a vote to occur on or in relation to the conference report. Also, Senate will resume consideration of H.R. 3009, Andean Trade Preference Expansion Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Wednesday, May 8

House Chamber

Program for Wednesday: Consideration of H.J. Res. 84, Disapproving the action taken by the President under section 203 of the Trade Act of 1974 regarding steel imports (subject to a rule that tables joint resolution); Consideration of H.J. Res. 87, Yucca Mountain Repository Site Approval Act (privileged joint resolution, 2 hours of debate); and

Complete consideration of H.R. 3525, Enhanced Border Security and Visa Entry Reform Act (suspension, yeas and nays demanded).

Extensions of Remarks, as inserted in this issue

HOUSE

Andrews, Robert E., N.J., E725
Bonior, David E., Mich., E727
Brown, Corrine, Fla., E735
Capuano, Michael E., Mass., E729
Clement, Bob, Tenn., E727
Frank, Barney, Mass., E738
Gibbons, Jim, Nev., E725
Gillmor, Paul E., Ohio, E734
Gutierrez, Luis V., Ill., E732
Jackson, Jesse L., Jr., Ill., E728
Kildee, Dale E., Mich., E736
Knollenberg, Joe, Mich., E728
Levin, Sander M., Mich., E732
McCollum, Betty, Minn., E729
McInnis, Scott, Colo., E729, E731, E732, E733, E734, E735, E737, E738, E738, E739
Maloney, Carolyn B., N.Y., E731
Matsui, Robert T., Calif., E736
Mink, Patsy T., Hawaii, E731, E738
Moran, James P., Va., E730
Moran, Jerry, Kansas, E734
Morella, Constance A., Md., E726
Northup, Anne M., Ky., E729
Norton, Eleanor Holmes, D.C., E730
Oberstar, James L., Minn., E737
Pastor, Ed, Ariz., E732
Paul, Ron, Tex., E735
Riley, Bob, Ala., E726
Rogers, Mike, Mich., E732
Ros-Lehtinen, Ileana, Fla., E725
Sanchez, Loretta, Calif., E725
Sanders, Bernard, Vt., E726
Saxton, Jim, N.J., E725
Slaughter, Louise McIntosh, N.Y., E730, E732, E733
Smith, Lamar S., Tex., E733
Stark, Fortney Pete, Calif., E736
Udall, Tom, N.M., E736
Wynn, Albert Russell, Md., E733

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